

PHOENIXVILLE BOROUGH COUNCIL
Tuesday, December 13, 2011
7:00 PM

MINUTES

(Minutes approved by Borough Council on January 10, 2012)

- I. Invocation/Pledge of Allegiance/Moment of Silence – President at 7:03
- II. Roll Call – Borough Secretary. Not in attendance Mr. Evans
- III. Minutes of Previous Meetings: November 1, 2011 and November 29, 2011

Ms. Mayo made the Motion to approve the minutes for both meetings. Seconded by Mr. Reber.

Mr. Kirkner requested the following corrections to the November 1, 2011 Minutes:

Item XIII (F) To add the following sentence: He thanked the members of the committee including Ellie Acampora, Mary Foote, Ryan Joyce, Tracy Tackett, Jennifer Mayo and Marc Reber.

Item XV (B) to read - Mr. Kirkner also requested that a complete inventory of borough vehicles be provided for the next Finance Committee Meeting on November 15, 2011.

Mr. Kirkner requested the following corrections to the November 29, 2011 Minutes:

Item IV (A) change name to Greg Davis.

Item VI (C) (3) to list the three items separately.

Motion Approved by a vote of 7 to 0.

- IV. Public Participation
 - A. Dorene Pasekoff – Resident. Stated that she is concerned about the cost of the tax increase. She does not feel the Borough has done enough research into the cost for a new borough hall. She is not convinced this is a good use of the tax increase. The Borough needs to make a better case.
 - B. Barry Cassidy – Representing French Creek Manor. Mr. Cassidy provided materials on the Keystone Special Industrial Use Designation which provides a \$2,100 tax credit per employee for 10 years. He asked that

Borough Council support the grant application. He stated that he will present more information at a later date.

- C. Joe Rooney – Resident. Stated that is asking to revise the budget as this is not a time for luxury. There are a lot of families that have put off luxuries. When things get better he will support the taxes needed for the new Borough Hall.
- D. Irene Hilly – Resident. Stated that she believes the millage increase is extremely high. There is no need for a new borough building. She asked Council to look over the budget and eliminate items. The increases in water, waste water, and trash fees are too high and it is getting hard to pay the bills. Why are the other boroughs and township not increasing their budgets. She asked Council to vote no and pare the budget down. The cost of home heating fuel is extremely high and again asked Council to think about what they are doing.
- E. Dave Saneck - Resident. He asked whether Item IX (D) has now identified the location of the new borough hall. He asked whether there has been any consideration given to the location as a flood area.
- F. Paula Weston – Resident. She stated that Council should vote no on the Building. The residents are not getting anything out of it.
- G. William McGinley – Resident. Stated that there should be no bill boards as they are nothing but high tech graffiti. He asked whether the Police are fully funded in the budget. He understands the bond being needed for Water and Sewer, but that Council could make the existing building work.

V. Appointments/Public Resolutions

- A. Consider accepting the resignation from Kyle Guie from the Planning Commission. His term expires March 31, 2014

Ms. Mayo made a Motion to accept the resignation. Seconded by Mr. Gautreau. Mr. Reber asked what was the date of resignation. Mr. Kirkner responded that it was effective immediately. Motion approved by a vote of 7 to 0.

- B. Consider approval of a Resolution acknowledging Jay F. Patton for his years of service on the Civil Service Commission.

Mr. Speck made a Motion to acknowledge Jay F. Patton's service on the Civil Service. Seconded by Mr. Buckwalter. Motion approved by a vote of 7 to 0.

- C. Consider approval of a Resolution acknowledging James Evans for his years of service on Borough Council.

Ms. Mayo made a Motion to acknowledge James Evans for his time of service on Borough Council. Seconded by Mr. Speck. Motion approved by a vote of 7 to 0.

Mr. Kirkner spoke to his appreciation for Mr. Evans' service.

- D. Consider approval of a Resolution acknowledging Marc Reber for his years of service on Borough Council.

Mr. Gautreau made a Motion to acknowledge Marc Reber for his time of service on Borough Council. Seconded by Mr. Buckwalter. Motion approved by a vote of 6-0-1. Abstain - Mr. Reber

Mr. Kirkner spoke to his appreciation for Mr. Reber's service.

Mr. Reber stated it was an honor to serve.

- E. Consider approval of a Resolution acknowledging Kendrick Buckwalter for his nearly ten years of service on Borough Council.

Mr. Reber made a motion to acknowledge Kendrick Buckwalter for his ten years of service on Borough Council. Seconded by Ms. Dugan. Motion approved by a vote of 6-0-1. Abstain - Mr. Buckwalter

Mr. Buckwalter spoke that it was his honor to serve.

Mr. Kirkner spoke to his appreciation for Mr. Buckwalter's service.

- F. Call for citizens interested in being appointed to various Boards and Commissions.

Mr. Speck made a Motion to appoint Mr. James Evans to the Civil Service Commission. Seconded by Ms. Dugan. Motion approved by a vote of 6 to 1. Voting No - Mr. Reber.

VI. Presentations - None

VII. Communications:

- A. Mr. Reber asked what the Borough's position is with regard to the challenge to the electronic billboards. Mr. Kirkner stated that the Zoning Hearing Board will address that in their decision.

- B. Mr. Gautreau read a letter from Bud Horenci – Resident. "Haven't we paid off any old bonds at this point and free'd up money for new bonds? We just never hear about paying something off and assuming we do, what happens to the available money once we do. It seems like any payments

that may actually/eventually stop just get absorbed, never to be seen again. Sell those franchise areas immediately if not sooner. They're probably paying half what we pay for the same service. That's all I've got for now except my usual complaint about Code Enforcement. Seems to me that there's an opportunity for that department to not only pay for itself but actually raise revenue for the Borough. But they don't because it's harder and they may have to spend time prosecuting instead of taking it easy and riding around."

VIII. Council Participation

A. Mr. Kirkner spoke to several of the earlier comments during public participation stating:

1. The millage increase was not 5.25 mills but that it would go from 4.41 mills to 5.25 mills
2. All budget line items have been looked at and addressed in the 2012 budget.
3. Trash fees are not going up in 2012.
4. There was a tax increase last year.
5. Wages were frozen for 2011 and non union personnel were required to contribute more to their health benefits. The collective bargaining process covers those in the unions.
6. Council does not get any funds.
7. The retirement pension plans are funded as required by the actuarial studies each year.
8. Borough Council in developing the budget has not taken the easy way out.

Mr. Kirkner asked that Council go into Executive Session to discuss personnel and Real Estate at 7:45 pm.

Council returned at 8:28 pm.

IX. New Business

A. Consider waiver of Temporary Community Event fees for the Kiwanis Club Community Day event that was held on Saturday, October 1, 2011 in Reeves Park.

Mr Gautreau made a Motion to approve. Seconded by Mr. Reber. Motion approved 7 to 0.

B. Consider a Resolution authorizing the submission of a PECO Green Region Open Space Program Grant in the amount of \$3,500.

Mr Reber made a Motion to approve. Seconded by Ms Mayo. Motion approved 7 to 0.

C. Consider approval of the 2012 Budget.

Mr Reber made a Motion to approve. Seconded by Ms. Dugan.

Mr Buckwalter asked about \$25,000 increase in Codes revenue. He questioned if this is a revenue generator.

Mr, Krack stated that each year staff reviews fees being charged against other municipal fees. He stated that the fees the Borough charges are consistent with the other municipalities.

Mr. Buckwalter stated that the Codes budget should not be revenue generator for the budget and that it should be revenue neutral.

Mr. Kirkner stated that the budget is presented based on information that is known at the time. Sometimes there is more development than expected and other times there is less development.

Mr. Reber stated that he has consistently been against the borough hall project but that he is ok with the operational side of the budget.

Mr. Gautreau stated that Friendship and West End indicated they were not going to provide any financial assistance from their social club and asked how those dollars would be made up in the budget.

Mr. Kirkner stated that it is incumbent on the Social clubs to support fire suppression.

Mr. Gautreau said he will support the budget.

Mayor Scoda stated that the Bond covers more than the Borough hall. We are always repairing this building at nearly \$10,000 per month on repairs.

Ms. Mayo expanded on the comments of the Mayor and Mr. Gautreau that rates are low and that Council members are getting the tax increase as well. We have 17,000 people to support.

Mr. Kirkner stated that this is a significant tax increase. However, the Borough needs a workable physical plant. This existing building does not meet any standards of today. If we wait on this, people will ask why did this borough council not act back when. This is tough. But if we do not do something the cost could be much higher.

Mayor Scoda stated that the Borough has been fiscally responsible in the past. The only outstanding debt for the borough is 2003. We have good bond rating. Borough has been fiscally responsible.

Roll Call vote - Voting YES Dugan, Gautreau, Mayo, Speck and Kirkner.
Voting NO - Buckwalter and Reber Motion passes 5-2.

- D. Consider an Agreement of Sale with 3D Property Group for the acquisition of land and appurtenances at 347 Bridge necessary for the construction of the proposed Borough Hall project.

Mr. Speck made a Motion to acquire the property at 347 Bridge Street for a price of \$975,000 with \$50,000 down payment by December 30, 2011 and to authorize the Solicitor and Staff to finalize agreement for execution and to develop and finalize all other documents related to closing. Seconded by Mr. Gautreau. Ms. Mayo stated that she is in agreement of the sale but is against the \$50,000 non-refundable deposit.

Roll Call - Voting YES – Buckwalter, Dugan, Gautreau, Kirkner, Mayo, and Speck. Voting NO – Reber. Motion passes 6-1.

X. Resolutions

- A. Consider a Resolution of the Borough of Phoenixville designating Trash Fees, Sanitary Sewer Rates, Water Rates and Infrastructure Improvement Fees for the 2012 Fiscal Year.

Mr Reber made a Motion to approve. Second Mr. Buckwalter.

Mr. Gautreau stated he will be voting no given the Borough anticipates selling the outside water assets.

Mr. Kirkner stated that Trash does not go up and will remain at \$74 per quarter. Water will increase to \$6.80 per 1,000 gallons of water. Sewer rates will go to \$5.15 per 1,000 gallons of waste water. Water and Waste will also have a \$5.00 per quarter infrastructure fee.

Ms. Mayo encouraged staff to seek more grants for repairs.

Mr. Reber said grants come from tax payers also and that there are some costs you cannot mitigate.

Mr. Buckwalter stated this is a good resource. The Borough residents pay lower rates than private water sources.

Roll Call – Voting YES – Buckwalter, Dugan, Kirkner, and Reber. Voting NO - Gautreau, Speck, and Mayo.

XI. Public Hearings

- A. Consider an Ordinance of the Borough of Phoenixville levying a General Purpose Real Estate Tax for the 2012 Fiscal Year.

Mr. Kirkner opened the Public Hearing at 9:02 pm.

No Public input.

Mr. Kirkner closed the Public Hearing at 9:03 pm.

Mr. Reber made a Motion to approve the Ordinance, Seconded by Mr. Gautreau.

Roll Call – Voting YES – Dugan, Gautreau, Kirkner, Speck, and Mayo.
Voting NO - Reber and Buckwalter. Motion passes 5 to 2.

- B. Consider an Ordinance Amendment to Chapter 27 “Zoning”, Part 28, “Uses”, Section 27-2803 “Recreational Uses.

Mr. Kirkner opened the Public Hearing at 9:05 pm.

No Public input.

Mr. Kirkner closed the Public Hearing at 9:06 pm.

Ms. Mayo made a Motion to approve the Ordinance Amendment.
Seconded by Mr. Reber. Motion approved by a vote of 7 to 0.

- C. Consider an Ordinance of the Borough of Phoenixville providing for an amended and restated Intergovernmental Cooperation Agreement appointing the Mutual Utility Alliance as the consultant of the Borough of Phoenixville, and naming a lead local government for the purpose of bidding and purchasing certain energy products and services, or other products and services as designated in the amended and restated Intergovernmental Cooperation Agreement.

Mr. Kirkner opened the Public Hearing at 9:07 pm.

No Public input.

Mr. Kirkner closed the Public Hearing at 9:08 pm.

Mr. Reber made a Motion to approve the Ordinance. Seconded by Mr. Speck. Motion Approved by a vote of 7 to 0.

Mr. Speck made a Motion to authorize staff to enter into a three year contract for Exelon energy pricing if such pricing is advantageous to the Borough in terms of limiting energy costs. Seconded by Ms. Mayo.

Mr. Krack gave an explanation for the contract. Approved

Ms. Mayo asked about the savings.

Mr Krack reported that the savings was approximately \$8,000 per month but that Staff has already accounted for about \$7,500 in the 2012 budget anticipating some level on energy conversion.

Motion approved 7-0.

XII. Reports of Committees, Boards, and Commissions

A. Planning Commission

1. Consideration of Resolution for Final Approval of the subdivision and land development for The Shoppes at French Creek – Parcel “O”. Planning Commission recommended on November 10, 2011 to Council by vote of 6-0-1 (Abstain – Saneck).

Mr. Rau pointed out that a future detail of landscape plan remains to come forward and that Mr. DeMutis will address this at a later date before the Planning Commission and Borough Council.

Mr. Gautreau made motion to approve the plans as presented. Seconded by Mr. Reber.

Mr. Kirkner asked about New Street and whether the motion maker would accept an amendment. Mr. Gautreau made a motion to name the Street Messina Street. Seconded by Ms. Mayo. Motion Approved 7 to 0.

Original Motion Approved by a vote of 7 to 0.

B. Regional Planning Commission

Mr. Kirkner stated that there is Legislation moving through Harrisburg that would provide certain businesses to ignore local zoning ordinances. More to follow

C. Historical Architectural Review Board

1. Consider approval of the application for 37 Bridge Street in accordance with the HARB Action Memo dated November 30, 2011.
2. Consider approval of the application for 197 Bridge Street in accordance with the HARB Action Memo dated November 15, 2011.
3. Consider approval of the application for 1211 Bridge Street in accordance with the HARB Action Memo dated November 15, 2011.

4. Consider approval of the application for 4 Gay Street in accordance with the HARB Action Memo dated November 15, 2011.
5. Consider approval of the application for 15 South Main Street in accordance with the HARB Action Memo dated November 30, 2011.
6. Consider approval of the application for 180 Bridge Street in accordance with the HARB Action Memo dated December 6, 2011.
7. Consider approval of the application for 215 Bridge Street in accordance with the HARB Action Memo dated December 6, 2011.
8. Consider approval of the application for 333 Church Street in accordance with the HARB Action Memo dated December 6, 2011.

Mr. Reber made a Motion to approve items 1-8. Seconded by Ms. Mayo.

Mr. Kirkner stated that the HARB needs to look at guidelines for signs in the Historical District.

Ms. Mayo stated there is a need to protect what is going up in the downtown. We do not have to always say yes to those signs.

Ms. Mayo made a Motion to divide out item 5. Seconded by Mr. Gautreau. Motion approved 6 to 0. Ms Dugan had stepped out

Motion for items 1-4 and 6-8 Approved by vote of 7 to 0

Ms. Mayo made Motion to deny the sign request in Item 5. Seconded by Mr. Reber.

Mr. Buckwalter asked about the objection.

Ms. Mayo stated that the font is not right for down town.

Mr. Kirkner said it does not meet HARB guidelines. He is also concerned about the Mural on the side of the building.

Mr. Rau reported that a denial would require a reason why.

Mr. Krack stated that he has enough information to provide the denial response.

Motion Approved 5 to 2. Voting No Buckwalter and Gautreau.

XIII. Council Action referred from Committee

A. Police and Personnel Committee

1. Direct Council President to send a letter to the State Legislative Delegation stating opposition to House Bills 361 and 888 providing for English as the official language of the Commonwealth.
(Approved in Committee 2-0)

Mr. Reber made the Motion to ratify committee action. Seconded by Mr. Buckwalter.

Mr. Buckwalter asked the names of those voting yes be included in the letter. Mr. Reber agreed.

Mr. Buckwalter said he is against the letter.

Mr. Kirkner said this alienates those who speak a foreign tongue.

Mr. Buckwalter said he thinks English should be the official language.

Motion Approved by a vote of 5 to 2. Voting No – Ms. Dugan and Mr Buckwalter.

B. Parks and Recreation Committee

1. No Action to Report

C. Finance Committee

1. Consider Approval of the 2011 Pre-paids Dated 10/09/2011 – 11/05/2011 in the Amount of \$1,544,633.15.

Ms. Dugan made a Motion to approve the pre-paids. Seconded by Mr. Buckwalter. Motion Approved 7 to 0.

2. Consider Approval of the purchase of new crane truck for water and wastewater plants in the amount of \$54,426.45 from Fred Beans Ford of West Chester using the State approved Co-Star Program.

Ms. Dugan a Motion to approve the purchase. Second by Mr. Reber.

Mr Buckwalter asked if we had a crane truck.

Mr. Krack stated that we have an existing crane truck but that the crane is in need of repairs. The additional truck is needed for safety reasons and that crane trucks are constantly being used by both water distribution and sewer departments.

Motion Approved 7 to 0.

3. Consider 2011 Department Head Vacation Buy Back

Ms. Dugan made a Motion to approve vacation buy back. Seconded by Mr. Reber. Motion Approved 7 to 0.

4. Consider 2011 Budget Transfer Requests:

- a. Consider Budget Transfer Request 2011-012 to transfer \$1,210 from Police Protection – Education Reimbursement to \$415 Police Protection – Outside Printing for printing citations and \$625 to Police Protection – Lab Testing and Supplies to cover lab testing.
- b. Consider Budget Transfer Request 2011-020 to transfer \$966 from Police Protection – Board and Commission Fees to Police Protection – Personnel Expenses for uniforms for the new Corporal and the Part-time Officer.
- c. Consider Budget Transfer Request 2011-021 to transfer \$40.00 from Legislative – Operational Supplies to Recognitions – Fisher Park Sign honoring Mayor Scoda.
- d. Consider Budget Transfer Request 2011-028 to transfer:
 - (1) \$2,000 from Code Enforcement – Training and Conferences to Property Maintenance Expense – Property maintenance due to owner negligence.
 - (2) \$10,000 from Code Enforcement – Salary & Wages to Engineering Fees – Zoning Officer fees due to loss of Codes Director.
- e. Consider Budget Transfer Request 2011-030 to transfer:
 - (1) \$10,000 from Streets Department – Employee Paid Insurances to Vehicle Expense – Increase cost in fuel due to change in supplier.
 - (2) \$8,000 from Street Light Expenses – Utilities to Contract Services – damage to traffic light (will be reimbursed).
 - (3) \$4,500 from Parking – Operating Supplies to Capital Purchases – Electric to parking meter kiosk.
- f. Consider Budget Transfer Request 2011-032 to transfer:

- (1) \$1,005 from Parks – Repair and Maintenance Supplies to Contract Services – band shell awning damage due to storms and mowing from 2011.
 - (2) \$354 from Participant Recreation to Insurance Building – Change to insurance allocation.
 - (3) \$222 from Insurance Building to Insurance – Change to insurance allocation.
- g. Consider Budget Transfer Request 2011-033 to transfer:
- (1) \$3,600 from L.F. Highway Construction & Rebuilding to L.F. Cleaning Streets – Additional repairs to street sweeper.
 - (2) \$6,500 from L.F. Highway Construction & Rebuilding to Overtime – Over run due to snow of 2011.
 - (3) \$500 from L.F. Highway Construction & Rebuilding to FICA/Payroll taxes – over run due to snow of 2011.
 - (4) \$5,000 from L.F. Highway Construction & Rebuilding to Chemical Supplies – Over run due to snow of 2011.
 - (5) \$5,800 from L.F. Highway Construction & Rebuilding to L.F. Repair Machine & Equipment – Equipment maintenance & repair – Repair to rotted out truck bed.
 - (6) \$1,000 from L.F. Highway Construction & Rebuilding to L. F. Repair machine & equipment – Vehicle Expense – unexpected repairs.
- h. Consider Budget Transfer Request 2011-035 to transfer \$400 from Solid Waste – Employer Paid Expenses to Worker’s Compensation – Workers Comp rate increase.
- i. Consider Budget Transfer Request 2011-036 to transfer \$500.00 from Fire Protection – Workers Compensation to Tax Collection Expense – Tax Collection Fees – Cost to collect prior year taxes – estimated too low.
- j. Consider Budget Transfer Request 2011-038 to transfer \$5,000 from Water Distribution – Capital Improvements to Vehicle Expense – increase fuel costs due to change in supplier and unexpected repairs.
- k. Consider Budget Transfer Request 2011-044 to transfer \$650 from Finance – Employer paid expenses to Administration – Employer Paid Expenses due to personnel transfer between departments.
- l. Consider Budget Transfer Request 2011-047 to transfer:
- (1) \$1,100 from Public Works – employer Paid Expenses to Public Works – Vehicle Expense due to increase

fuel costs due to change in supplier and unexpected repairs.

- (2) \$4,000 from Public Works – Employer Paid Expenses to Public Works - Hurricane Irene Expenses.

- m. Consider Budget Transfer Request 2011-048 to transfer:
 - (1) \$3,830 from Police – Training and Conferences to Police – Overtime – Firearms Training Overtime.
 - (2) \$250 from Police – Education Reimbursement to Police – Inside Printing/Copier Expense.

- n. Consider Budget Transfer Request 2011-049 to transfer \$25,000 from Police – Salaries and Wages to Police – Employer Paid Insurances.

- o. Consider Budget Transfer Request 2011-051 to transfer:
 - (1) \$2,000 from Police – Insurance to Police – Vehicle Expenses – Fuel rate increases.
 - (2) \$2,100 from Police – Insurance to Police – Judgments and Damages – Vehicle Accident.

- p. Consider Budget Transfer Request 2011-052 to transfer
 - (1) \$965 from Parking – Salaries and Wages to Parking – Unemployment Compensation – Budgeted as a total in wages and not split out.
 - (2) \$3,750 from Parking – Salaries and Wages to Parking – Workers Compensation – Budgeted as a total in wages and not split out.

- q. Consider Budget Transfer Request 2011-055 to transfer \$11,000 from Waste Water – Chemicals to Waste Water – Judgments and Damages – Morris Street sewer Deductable.

- r. DUPLICATE Consider Budget Transfer Request 2011-048 to transfer:
 - (1) \$3,830 from Police – Training and Conferences to Police – Overtime – Firearms Training Overtime.
 - (2) \$250 from Police – Education Reimbursement to Police – Inside Printing/Copier Expense.

Ms. Dugan made the Motion to approve budget transfers for items a-r. Second by Mr. Buckwalter. Motion Approved 7 to 0.

5. Consider 2011 Budget Increases.

- a. Consider Budget Increase Request 2011-026 to Legal – Legal \$40,000 from Fund Balance – Arbitration for Police.

Ms. Dugan made a Motion to approve budget increase. Seconded by Mr. Reber. Motion Approved 7 to 0.

- b. Consider Budget Increase Request 2011-027 to Police Protection \$20,000 from Fund Balance - Increase fuels cost due to change in supplier.

Ms. Dugan made a motion to approve budget increase. Seconded by Mr. Reber. Motion Approved by vote of 5 to 2. Voting NO - Mr Gautreau and Mr. Kirkner.

- c. Consider Budget Increase Request 2011-028 to Shade Tree – Contract Services \$18,000 from Fund Balance – Additional costs of tree removals that were initially going to be trims.

Ms. Dugan made a Motion to approve budget increase. Seconded by Mr. Reber. Motion Approved 7 to 0.

- d. Consider Budget Increase Request 2011-029 to Parks – Insurance \$3,758 from Fund Balance – Change to insurance allocations
- e. Consider Budget Increase Request 2011-30 to Solid Waste – Judgments and Damages \$906.00 from Fund Balance – Accident with Borough truck hitting private vehicle mirror.
- f. Consider Budget Increase Request 2011-31 to Emergency Services – Operating Supplies \$1,000 from Fund Balance – Repairs and modifications to Fire Department EOC Office.

Ms Dugan made a Motion to approve budget increase for items d, e, and f. Second by Mr. Buckwalter. Motion Approved 7 to 0.

- g. Consider Budget Increase Request 2011-32 to Solid Waste – Vehicle Expenses \$15,000 from Fund Balance – Increased

Ms Dugan made a Motion to approve budget increase. Seconded by Ms. Mayo. Motion Approved 7 to 0.

- h. Consider Budget Increase Request 2011-33 to Waste Water – Capital Fund \$50,000 from Fund Balance – Digester #1 repair engineering costs.

Ms Dugan made a Motion to approve budget increase. Seconded by Ms. Mayo. Motion Approved 7 to 0.

D. Infrastructure Committee

1. No Action to Report
- E. Economic Development Committee
1. No Action to Report
- F. Policy Committee
1. Consider scheduling and advertising a Public Hearing on January 10, 2012 to consider an Ordinance Amendment to Chapter 15 "Motor Vehicles and Traffic" Section 15-224 "Loading and Unloading Zones", Part 4, General Parking Regulations," Section 15-402, "Parking Prohibited at All Times in Certain Locations," and Section 15-406, "Handicapped Parking Zones," in the Borough of Phoenixville, Chester County, Pennsylvania. (Approved in Committee 4-0).

Mr. Reber made the Motion. Seconded by Ms. Mayo. Mr. Kirkner gave an overview of the ordinance. Motion Approved 7 to 0.

i.

Mr Reber asked about the status of the policy to have citizens approach the Tree Advisory Commission to trim or remove Borough Trees. Mr. Krack reported that the final version of the Ordinance should come to the Policy Committee in January and likely to come before Council in February for scheduling and advertising the Public Hearing.

Ms. Mayo asked about no truck deliveries on Bridge street. Mr. Krack reported that it is on the list of items to be addressed in the Policy Committee.

XIV. Public Participation – No further Public participation

XV Staff Reports

- A. Mayor's Report. The Mayor reported that everyone had a copy of the monthly police report. The Gun Buy Back program netted around 80 guns off the street. He stated that there was some misinformation in the various blogs stating that the Borough sold the guns. The facts are that each of the guns is destroyed. The Mayor participated in Paul Gleason Day as he is now 100 years young. He stated that he had participated in the Christmas Parade, the Holiday House Tour, the Valley Forge Christian College Annual Christmas Concert, the Annual Firebird Festival and the DARE Program Event.
- B. Manager's Report

1. Consider Scheduling and Advertising the Reorganization Meeting for January 3, 2012 and Regular Council Meeting for January 10, 2012. The January 3rd meeting will not be filmed.

Ms. Dugan made a Motion to advertise the meetings. Seconded by Mr. Reber. Motion Approved 7 to 0.

- C. Code Director's Report
- D. Public Works Director's Report

1. Consider Award for 2012 Chemical Bids

Mr. Krack stated that the Borough received ten bids for the 2012 chemical contract . Staff reviewed all the bid documents for the low bidders including their Bid Form, Bid Security and Non-Collusion Affidavit. Staff's recommendation is to award contracts to each company with the low individual bid for Items 1-4 and 6-11. Item 5 low bid was an exact tie and the recommendation is to split the bid in half and award half the contract to each of the two low bidders. Each supplier included all of the bid requirements. The following are Staff's recommendations for Council approval tonight.

- (a). Liquidated Alum Sulfate to Delta Chemical Corp
\$28,980.00
- (b). Chlorine One Ton Containers to Jayana Yeakle Univar USA
\$14,112.00
- (c). Chlorine 150 lb cylinders to JCI Jones Chemicals
\$6,500.00
- (d). Liquid Caustic Soda to JCI Jones Chemicals
\$15,450.00
- (e). Fluosilic Acid to Jayana Yeakle Univar USA
\$9,600.00
Fluosilic Acid to Main Pool & Chemical
\$9,600.00
- (f). Potassium Permanganate to Main Pool & Chemical
\$17,992.00
- (g). Zinc Orthophosphate to Shannon Chemical
\$37,397.92
- (h). Hydrated Lime – 10 Ton Lots to Jayana Yeakle Univar USA
\$2,810.00
- (i). Hydrated Lime – 20 Ton Lots to Jayana Yeakle Univar USA
\$5,040.00
- (j). Soda Ash to Main Pool & Chemical
\$14,000.00
- (k). Ammonium Sulfate to Coyne Chemical
\$57,220.00

2. Consider Award for 2012 Stone and Paving Materials

Mr. Krack stated that the Borough received three bids for the 2012 paving and stone contract . Staff reviewed all the bid documents for the low bidders including their Bid Form, Bid Security and Non-Collusion Affidavit. Staff recommends the 2012 paving and stone contracts be awarded to each company with the low individual bid for Items 1-11 which are high lighted in yellow. Each supplier included all of the bid requirements. The following are our recommendations for Council approval tonight.

(a).	2A Material to Douglassville Quarry	\$9,850.00
(b).	#1 Stone to Douglassville Quarry	\$1,305.00
(c).	#57 Stone to Douglassville Quarry	\$667.50
(d).	#10 Stone to Independence Construction	\$496.50
(e).	9.5 mm to Independence Construction	\$116,840.00
(f).	19.0 mm to Independence Construction	\$208,920.00
(g).	25.0 mm to Independence Construction	\$985.40
(h).	Cold Patch(#485 P.S.P.) to Sanatoga Quarry	\$18,518.00
(i).	AC 20 Tar to Sanatoga Quarry	\$225.00
(j).	Tac Coat – There was no Bid Received	N/A
(k).	Anti-Skid Material to Sanatoga Quarry	\$3,272.50

3. Consider Award for 2012 Equipment Rental

Mr. Krack stated that as shown in the attached Bid Summary, the Borough received one bid for the 2012 Equipment Rental contract . Staff reviewed the bid documents including their Bid Form, Bid Security and Non-Collusion Affidavit. It is Staff's recommendation to award the 2012 Equipment contract to Melchiorre Construction Company for the following:

(a).	Crawler Dozer - 8 hrs	
	Model or Series ID	CAT- D6
	Year	\$1,990.00
	Hourly Rate Bid	\$110.00
	Total Bid	\$880.00
(b).	Crawler Loader - 8 Hrs	
	Model or Series ID	Komatsu
	Year	\$1,999.00
	Hourly Rate Bid	\$120.00
	Total Bid	\$960.00
(c).	Track Excavator - 8 Hrs	
	Model or Series ID	Volvo
	Year	\$2,000.00
	Hourly Rate Bid	\$160.00
	Total Bid	\$1,280.00
(d).	Tri-Axle Dump Truck - 840 Hrs	

	Model or Series ID	Mack
	Year	\$2,001.00
	Hourly Rate Bid	\$88.00
	Total Bid	\$73,920.00
(e).	10 Wheel Dump Truck - 8 Hrs	
	Model or Series ID	Mack
	Year	\$2,001.00
	Hourly Rate Bid	\$88.00
	Total Bid	\$704.00
(f).	Case Backhoe - 8 Hrs.	
	Model or Series ID	CASE-580
	Year	\$1,995.00
	Hourly Rate Bid	\$95.00
	Total Bid	\$760.00
(g).	Foreman (Excavation) - 8 hrs	
	Model or Series ID	NA
	Year	NA
	Hourly Rate Bid	\$45.00
	Total Bid	\$360.00
(h).	Laborer- 672 Hrs	
	Model or Series ID	NA
	Year	NA
	Hourly Rate Bid	\$43.00
	Total Bid	\$28,896.00

Total Contract Price \$107,760.00

Mr Buckwalter made a Motion to approve Items 1-3. Seconded by Ms. Dugan. Motion approved by a vote of 7 to 0.

- E. Fire Chief's Report
- F. Finance Director's Report

1. Mr. Nease presented the Fund Balance Allocation

Ms. Dugan made a Motion to approved the Fund Balance Allocation Policy. Seconded by Mr. Buckwalter. Motion Approved 7 to 0.

2. Mr. Nease reported that the roof at the Civic Center was being destroyed by squirrels. This is considered an emergency repair.

Ms. Mayo made a Motion to approved the emergency roof repairs. Seconded by Mr. Buckwalter. Motion Approved 7 to 0.

Other Reports

A. Fire Department Liaison

Mr. Gautreau read a letter into the minutes regarding the fire department consolidation efforts to date. After a lengthy discussion regarding the various actions that have occurred over the past 18 months, several motions were made as follows:

1. Mr. Gautreau made a Motion that it is the intent of Council to have Friendship Fire Company provide dive and rescue service to the Borough and that they be covered under the Borough's Worker's Compensation Policy. Seconded by Mr. Speck. Motion Approved 6 to 1. Voting No - Mr. Reber.

Mr. Buckwalter made a Motion to amend the intent of council to have staff work with the solicitor to change the existing ordinance. Seconded by Ms. Mayo. Motion Approved 7 to 0.

2. Mr. Gautreau made motion that the Borough lease three bays from West End and that the title of vehicles be transferred to the Borough. Seconded by Mr. Speck. On the question, Mr. Reber stated that he would voting no. Mr. Kirkner stated that the direction is too specific. Motion Failed 3 to 4. Voting NO Mr. Reber, Mr. Buckwalter, Mr. Kirkner and Ms. Mayo.
3. Mr. Gautreau made motion of intent to use West End as EMS and fire as needed. Seconded by Mr. Speck. Motion Approved by a vote 6 to 1. Voting NO - Mr Reber.

XVI. Executive Session – earlier in the meeting.

XVII. Old Business –

- A. Mr. Reber made a Motion to use \$1,000 to do an engineering study of a property to do an abatement project at the Manager's choice. Seconded by Mr. Buckwalter. There was lengthy discussion. Ms Mayo asked for more detail. Mr. Reber said it intended to addresses properties that the owners are not taking care of.

Mr. Krack stated that the County will be calling for applications under the Community Development Block Grant (CDBG) program later in the year and that his would be a good use of those funds. He further stated that Staff is compiling a list of properties for that application.

Mr. Speck made a Motion to call for the vote. Seconded by Ms. Mayo. Motion Approved 7 to 0.

Motion Failed 1 to 6. Voting Yes – Mr. Reber.

XVIII. Adjournment: 11:07 pm by Mr. Buckwalter