

MINUTES
Borough Council Worksession
February 20, 2018 @ 7:00 PM
Spellman Council Chambers
829 Paoli Pike
West Chester, PA 19380

Borough Council Members:

Diane C. LeBold, President	President, 2 nd Ward	Term Expires: 2020
Michael Gale, Esquire	Vice President, 3 rd Ward	Term Expires: 2022
William J. Scott, Esquire	Member, 1 st Ward	Term Expires: 2022
Michael Stefano	Member, 4 th Ward	Term Expires: 2020
Donald Braceland	Member, 5 th Ward	Term Expires: 2022
Bernie Flynn	Member, 6 th Ward	Term Expires: 2020
Denise Polk, Ph.D.	Member, 7 th Ward	Term Expires: 2022

Mayor: Dianne Herrin

Borough Manager: Michael A. Perrone, C.B.O. was not in attendance

1. Call to Order at 7:03 pm
2. Comments, suggestions, petitions by residents in attendance regarding items not on the agenda

Tom Walsh thanked Borough Council for the Honorary Title of West Chester Historian, bestowed upon Eric Wilson, for his many years of service to the West Chester Borough. Mr. Scott commented that he personally knows Mr. Wilson, he is a great citizen of the Borough and appreciates his exceptional work on behalf of the history of West Chester.

Mr. Richard Thompson expressed his concern regarding the interest rates the Borough is paying on their bonds.

3. Presentation by Samuel Stretton, Esquire:
How the West Chester Borough ward system was created

Mr. Stretton provided a history of the civil rights movement in the Borough and discussed the relation to our ward system. Mr. Stretton acknowledged pioneers in the civil rights movement in the Borough: Charles Melton, Dr. W.T.M. Johnson, Norman Bond, and Wilma Ford, just to name a few, and praised their collaborative effort in fighting discrimination in the Borough of West Chester. He also thanked long-time residents Alice Hammond, Alice Thomas and Hester Davenport.

Cassandra Jones thanked Mr. Stretton for providing this very important history of the Borough. Hester Davenport spoke on how important it is to incorporate black history into American History and the many contributions of black Americans.

4. Presentation by: Angela Scully, Executive Director – Uptown! Entertainment Alliance
Update of first year of theatre, progress and future planning operation

Ms. Scully stated the theatre opened on December 31, 2017. Since that time, 16,000 tickets have been sold to patrons from over 38 zip codes. The theater offers scholarships, hosts events for the community, brings events, classes and lessons to various centers and schools; and, they have formed several partnerships with other organizations. Their patrons use our hotels, dine in our restaurants and shop at our stores. Their goal is to expand their audience to other counties, and the states of New Jersey and Delaware.

Ms. Scully said there was a slight surplus for 2017, a strategic plan has been created with an objective is to pay off their debt.

Finally, she expressed her appreciation for the Borough's commitment and community support.

5. Consider adoption of Ordinance 01-2018, establishing the tax rate for the calendar year 2018

There was no tax increase for 2018.

Mr. Stefano moved to adopt Ordinance 01-2018 establishing the tax rate for the calendar year 2018; Mr. Flynn seconds. Motion carries 7-0

PUBLIC WORKS

6. Approve installation of two cobra head street lights at Greenview Alley

This item was forwarded to the Consent agenda

7. Consider appointment of Karen Slossburg to the Shade Tree Commission

This item was forwarded to the Consent agenda

8. a) Approve Gilmore Associates Inc., contract/agreement proposal to provide engineering services for the repairs of Court House Alley.

This item was forwarded to the Consent agenda

b) Approve Cost-sharing Agreement between the Borough of West Chester and Chester County for the repair of Court House Alley

This item was forwarded to the Consent agenda

9. Award the Roof Replacement contract to Winchester Roofing Corp at a contract sum of \$236,000.00 to replace roofs of seven (7) buildings at Goose Creek Pumping Station.

This item was forwarded to the Consent agenda

10. Award Soda Ash contract to CDI at \$392.18/per ton

This item was forwarded to the Consent agenda

11. Approve Snyder Avenue Lease Agreement with Weaver Mulch LLC

This item requires an insurance certificate. OB Laing is in possession of the certificate and will forward to our insurance carrier to ensure the wording on the certificate is correct. Mr. Flynn objected to approving this item until we are certain the insurance is ample.

This item was forwarded to the February 21 Borough Council agenda for further discussion

12. Approve Greenfield Park Turf and Sports Shoes policy for 2018

Mr. Braceland said the field was getting torn-up and the repairs are costly, as the Borough recently spent \$12,000 remediating the grass. Teams are now required to use soft spike and turf shoes and place \$3,000 in escrow in the event they violate the soft spike shoe requirement.

This item was forwarded to the Consent agenda.

13. Approve installation of Little Free Library at Marshall Square Park

Mr. Braceland stated there is no work required on the part of the Borough, as the Gallo family will be maintaining.

This item was forwarded to the Consent agenda.

14. Approve two potential Capital Improvement grant opportunities being explored by Pennoni Engineers on behalf of the Borough

Public Works Director Laing outlined the scope of work of two grants: the Vision Partnership Program (VPP) grant from the county for Market/Gay Street corridor planning, and PA Small Water and Sewer Program for sanitary sewer relining. Because of the time sensitivity of the VPP grant, an immediate vote was needed for that application.

Mr. Stefano made a motion to approve the VPP grant application; seconded by Mr. Flynn. Motion carried 7-0

Resolution 03-2018 and the commitment letters for the PA Small Water and Sewer Program were forwarded to the Consent agenda.

ADMINISTRATION, COMMUNICATION, TECHNOLOGY (ACT)

15. Consider Fredda L. Maddox for position of West Chester Library Board of Trustee

This item was moved to the Consent agenda.

16. Presentation by the Chester County Health Department - West Chester Walking Route to Support Health

This program is designed to support health and encourage walking. The design is a walking route with 5 points of interest on the map which the County will provide. The points of interest are flexible; however, businesses may not be included in the points of interest. The County will supply the signs, which the Borough will install. Mike Perrone will work with

the County to finalize the signage, points of interest and events. The BID also expressed interest in assisting with the program.

This item was forwarded to the Consent agenda

17. Discuss adopting Resolution 01-2018: Regulating interstate and intrastate oil and gas pipelines

The West Chester Council of Governments is asking all surrounding municipalities to pass a resolution that mirrors resolutions already developed by some members of the COG that demand more stringent DEP regulation of interstate and intrastate oil and gas pipelines.

Mayor Herrin reminded Council that in November, 2015, 73% of voters passed a Community Bill of Rights, amending the Home Rule Charter, which states the Borough will not allow any large transmission of fossil fuel pipe lines in the Borough.

Mayor Herrin stated the resolution only allows Council influence on determining where the pipelines would be located and does not actually stop pipeline installation.

This item was forwarded to the February 21 Borough Council agenda for further discussion

18. Discuss adopting Resolution 02-2018: Filing of an Application for Redevelopment Assistance Capital

The Borough was awarded a \$500,000 grant toward the Borough Hall Renovation project. We are now required to apply for the grant and prepare a resolution for the grant.

This item was forwarded to the Consent agenda

19. Discuss the Tower and Ground Space Lease between West Chester Borough and the County of Chester

This lease agreement with the County is relative to the usage of their radio tower, located on Borough property at 401 East Gay Street. The Borough uses the tower for police force and other communications.

This item was forwarded to the Consent agenda

20. Consider and Approve the Light Post Banner Project – Public Arts Committee

Permission is being requested to install 18 banners on High Street from Miner to Chestnut Street. The intention of the banners is to advertise receipt of the Main Street Award, which will be advertised on one side of the banner, leaving the other side available for works of art. The cost to the Borough is \$610. The banners are being given to the Borough at no cost by Elmark Sign Company. Jimmer Breen, chair of the PAC, is asking for the assistance of Public Works to hang the banners.

This item was forwarded to the Consent agenda

PARKING

21. Discuss vacating the 700 block of S. Church Street

Randy Waltmeyer from Traffic Planning Design and John Villella from the West Chester University made a presentation at the request of the West Chester Borough Parking Committee, pursuant to a collective request from Borough and West Chester University, to look at the potential closure of Church Street due to the development of the Commons project.

Mr. Waltmeyer reviewed several alternatives, including moving parking meters to the south side of Sharpless St. between Church and New. After a lengthy discussion, Mr. Galeley stated he is opposed to the installation of parking meters on a residential block of Sharpless and feels the Borough is asking residents to bear the burden so WCU can have a nice block.

Council members felt more discussion is needed, and the residents who reside in that area should be notified of this potential closure. Bill Mann said a message could be sent via Ready Chesco. Cassandra Jones asked that Ward 2 be included in the call.

This item was sent back to the March Parking Committee.

22. Consider Comprehensive Parking Guide's recommendation to eliminate the Student C permit around the perimeter of the University and install meters.

Because meter installation would affect residents in the C permit area on Sharpless St., as noted in Item 21 above, Mr. Galeley asked that this item be sent back to the Parking Committee, because it directly relates to the discussion of vacating the 700 block of South Church Street.

This item was sent back to the March Parking Committee.

23. Discuss recommendations for a Preventative Maintenance (PM) plan for the (3) University garages

Mr. Galeley stated these 3 garages need preventative maintenance. Two are on university property (Sharpless and Matlack) and the other is the Bicentennial. A request is being made to bid out the preventative maintenance work and hire structural engineers. Clark Elms, Director of Parking, is confident we have money in the budget to accomplish this. A colleague of Mr. Flynn will inspect the garage that is leaking on Thursday, March 1st, and will give his professional assessment.

This item was forwarded to the Consent agenda.

24. Consider hiring an expert in the field to review and implement the Comprehensive Parking Guide's recommendation to update and improve wayfinding signage in the Borough

BID expressed interest in assisting with the Wayfinding project. The cost would be between \$10,000 and \$20,000 for expert services only; and, does not include signage or placement of the signage. There is \$35,000 earmarked for this project.

Commented [DL1]: Dana – Please double-check with Clark Elms. My notes from the parking committee say the three garages in question are Matlack, Sharpless and New, but that we could also add Chestnut Street and Bicentennial for an additional cost. I unfortunately don't have detailed notes for the work session discussion of this topic.

Mr. Scott expressed concern regarding the change of name from Master Parking Plan to Comprehensive Parking Guide and asked that this item be discussed further.

This item was forwarded to the February 21 Borough Council agenda for further discussion

25. Consider replacing the current short term kiosk at the Chestnut St. Garage with two (2) new and more user friendly units at a cost of approximately 12-18K of our budgeted funds reserved for implementation of the Comprehensive Parking Guide

A request is being made to purchase two units. Money is in the budget.

This item was forwarded to the Consent agenda.

PUBLIC SAFETY COMMITTEE

26. Consider Civil Service Commission: End of Year 2016 and 2017 Report

Mr. Scott and Mayor Herrin thanked the Civil Service Commission for the great work they do in providing excellent candidates to the Borough.

No action was required for this item.

27. Consider Resolution – Transfer of Liquor License R-17237 (**attachment**)

Chief Bohn informed Council a hearing date needs to be established for the inter-municipal transfer of a liquor license no later than tomorrow evening. His suggestion was March 20th.

This item was forwarded to the February 21 Borough Council agenda for further discussion

FINANCE

28. Authorize Professional Consultant to Conduct Comprehensive Appraisal of Waste Water Plants

Mr. Flynn stated an appraisal is required to evaluate the sale of the two sewer treatment plants and has asked that the Borough enter into a contract with Financial Solutions for professional services to provide a financial assessment of the Borough sewer system. The plants run well, but the pipes underground are old and will need to be replaced very shortly. The approximate cost is \$25,000. Note, If the Borough hires this organization, they will issue a \$25,000 credit.

This item was forwarded to the Consent agenda.

29. Amend Personnel Policy, Section 3.4. "Compensatory Time"

Mr. Flynn stated there was a need to re-establish compensatory time for department heads and how many hours can be carried over annually.

Keith Kurowski, Department of Parks & Recreation, was concerned for employees who have 4 to 5 years of compensatory time banked. He stated the issue of compensatory time for department heads has never been discussed or resolved.

Mr. Galey said, in his opinion, if time is earned, it is your time and we would not want to take that time away from employees.

Mr. Flynn asked Mr. Kurowski if he actually read the proposed policy. Mr. Kurowski replied, no, he has not. Mr. Flynn suggested he read the policy prior to the Council meeting tomorrow evening. Mr. Flynn then complimented Borough Manager Perrone for being very proactive and addressing the items that need to be discussed.

This item was forwarded to the February 21 Borough Council agenda for further discussion

SMART GROWTH

30. Historic Commission Term Adjustments

This Historic Commission requested term adjustments for their members. Kevin Gore, Director of Building & Housing, verified the Ordinance would allow for the requested term adjustments that the Commission was seeking.

This item was forwarded to the Consent agenda.

31. Discuss Snow & Ice Removal Ordinance

Mr. Scott made a motion for an immediate moratorium regarding the enforcement of the current Snow & Ice Removal Ordinance. Mr. Scott was advised that we would have to check with our legal counsel to suspend enforcement and hold a moratorium. After a lengthy discussion between Council and several residents, this item was moved to the agenda for further discussion.

This item was forwarded to the February 21 Borough Council agenda for further discussion

32. Discuss January 2018 HARB Applications:

- a. 2018-1: 1 South High St. – Cee Jay Frederick, Jr. / Cee Jay Frederick
Replace side entry door at the northwest corner of the building and incorporate out building sign thereon
Recommend a change to HARB's recommendation. Applicant may install the glass door with the condition of retaining the fan design above the door.
- b. 2018-2: 14 West Gay St. – Alysha Martinelli / La Chic Boutique
Install hanging sign on front façade utilizing ornamental bracket and install awning over front entryway door
- c. 2017-61: 135 East Gay St. – Scott Zukin
Front first floor exterior façade remodel

- d. 2017-62: 229 North High St. – Suzanne Amrich & William E.L. Howard V
Install & replace all windows, replace doors on side façade, restore deteriorating porch, replace front & side roofs and construct three story rear left building addition
Recommend a change to HARB’s recommendation: Approve aluminum clad Pella Reserve windows as presented with the condition that only Pella Reserve windows may be used.

This item was forwarded to the Consent agenda as noted: to approve the January 2018 HARB Applications b and c as recommended by HARB; and, a and d, with changes recommended by the Smart Growth Committee, indicated in red.

33. Zoning Hearing Board Application #947 – 712 N. Walnut Street
Council determined there was no need to send Solicitor to the hearing. No action was taken on this item.
34. Approval of Minutes (**attachments**)
- Consider approval of December 12, 2017 Work Session
 - Consider approval of December 13, 2017 Council Meeting
 - Consider approval of January 2, 2018 Reorganization Meeting
 - Consider approval of January 2, 2018 Council Meeting

This item was forwarded to the Consent agenda

Mr. Galey spoke with several firms regarding their experience with police negotiations. Jennifer Snyder, with the firm Dilworth Paxson, was highly recommended, and has substantial knowledge with Act 111, an Act specifically authorizing collective bargaining between policemen and firemen and their public employers. Her rate is \$320/hour, which is very reasonable. An engagement letter for execution is required, which Mr. Galey will request and present to Mr. Perrone for his signature.

This item was forwarded to the Consent agenda.

35. Other Business
36. Adjourn 10:26 PM