

*This meeting is being audio recorded for public record*

**A G E N D A**  
**Public Hearing / Borough Council Meeting**  
**August 16, 2023 @ 6:30 PM**

Michael Stefano, President	Member, 4 <sup>th</sup> Ward	Term Expires: 12/31/23
Lisa Dorsey, Vice President	Member, 7 <sup>th</sup> Ward	Term Expires: 12/31/25
Patrick McCoy	Member, 1 <sup>st</sup> Ward	Term Expires: 12/31/25
Nick Allen	Member, 2 <sup>nd</sup> Ward	Term Expires: 12/31/23
Brian McGinnis	Member, 3 <sup>rd</sup> Ward	Term Expires: 12/31/25
Sheila Vaccaro	Member, 5 <sup>th</sup> Ward	Term Expires: 12/31/25
Bernie Flynn	Member, 6 <sup>th</sup> Ward	Term Expires: 12/31/23

**Mayor:** Lillian L. DeBaptiste

**Borough Manager:** Sean Metrick

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**Public Hearing @ 6:30 PM:**

An Ordinance of the Borough of West Chester, Chester County, Pennsylvania, amending the West Chester Borough Code, Chapter 99, titled, "Taxation", to amend article V titled "Real Estate Tax" to adopt Sections 99-42.1 through 99-42.4 to adopt a real estate tax credit to qualifying volunteers of the West Chester Fire Department and Good Fellowship Ambulance.

An Ordinance of the Borough of West Chester, Chester County, Pennsylvania, amending the Code of the Borough of West Chester, Chapter 104, titled "Vehicles and Traffic", Section 104-55.1, titled "Unlawful Operation of Business" to delete the word "business".

**Borough Council Meeting:**

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Comments, suggestions, petitions by residents in attendance regarding items that are not on the agenda
- 4) Comments by the Borough Council and the Mayor
- 5) Presentation of Commendation to Varday Jacobs by Police Chief James Morehead
- 6) Swearing-In of new Officer, Kyle Livesay
- 7) Discuss Grant Strategy and Awards
- 8) Discuss Short Term Rentals
- 9) Borough Manager's Report (*attachment*)

10) **Consent:**

- a) Approve Borough Council support for the Borough of West Chester 225<sup>th</sup> celebration
- b) Approve the September 16, 2023 *Up on the Roof* Resolution (*attachment*)
- c) Authorize the Solicitor to edit Chapter 77, *Parking Permit, Residential* at a cost of \$500, to include modifying the business permit use, student rental permit use, create temporary service permits, and guest passes (*attachment*)
- d) Schedule a Public Hearing for an amendment to Chapter 104-32, *Parking Prohibited During Certain Hours*, October 18, 2023 (*attachment*)
- e) Approve the Marshall Square Park landscape plan as presented by Friends of Marshall Square Park (*attachment*)
- f) Approve easements for Taylor Run Stream Restoration Project (*attachments*)
- g) Approve the Special Events application for the Chester County OutFest, October 14, 2023 (*attachment*)
- h) Approve the West Chester Borough Restaurant Festival Beer and Wine Garden
- i) Approve request from the Civil Service Commission to create a certified list of eligible candidates for appointment of police officers
- j) Approve Subdivision Plan for Lot Line Change at 101 E. Ashbridge (*attachment*)
- k) Approve July 2023 HARB submissions recommendations (*attachment*)

**1. 2023-23: 220 W. Gay St/Hazley Builders**

*Proposed work:* Addition

*Recommendation:* Approved the conceptual design as submitted for Application 2023-14 with the following comments;

- 1. The addition will be located at the front of the site as proposed.
- 2. The addition will be offset a minimum of 1-foot behind the face of the existing brick townhouse.
- 3. Lower the front top-of-wall eave line so the corbelled cornice occurs just above the third floor window head.
- 4. The applicant will return with revised documents for final HARB review and recommendation.

**2. 2023-24: 9 N. High St/Charlie Walsh**

*Proposed work:* Restaurant façade

*Recommendation:* Approved with the following changes: The Board recommends a Certificate of Appropriateness for Application 2023-24 as submitted with the following alterations;

- 1. The front entrance door shall be revised to a  $\frac{3}{4}$  glass lite door, in lieu of the  $\frac{1}{2}$  glass lite door submitted. The sidelites shall also be revised to match the  $\frac{3}{4}$  lite proportions of the front door.
- 2. The new windows at the rear restaurant addition shall be 8-over-8 lite double-hung design to match the existing building windows.

3. *The new south facing roof gable at the rear addition shall be glass, per the proposed design*

**3. 2023-26 142 E. Market St/Scott Zukin**

*Proposed work:* Modifications to roof deck and building elevations

*Recommendation:* Approved with the following changes: The Board recommends a Certificate of Appropriateness for Application 2023-26 as submitted with the following alterations;

1. *The roof deck configuration and structural concept shall be as submitted.*
2. *In lieu of the proposed flat stucco wall finish, the upper wall band finish material shall be revised to painted Azek-type composite flat panels with matching raised perimeter frames.*
3. *The proposed medallions at the upper wall band will be deleted.*
4. *The three projecting pilasters at the east wall along Matlack Street will be full height brick, with a projecting cornice molding mitered to correspond to the plan configuration of the wall and pilasters.*

**4. 2023-22 148 E. Gay St/Lee Smith**

*Proposed work:* Continued review of door and transom restoration

*Recommendation:* Approved with the following changes: The Board recommends a Certificate of Appropriateness for Application 2023-26 as submitted with the following alterations; 1. Clarification that the new windows shall be simulated-divided-lite (SDL) wood windows.

- l) Approve donation to the West Chester Downtown Foundation (attachment)
- m) Enter into an agreement with *FlashParking, Inc.*, to upgrade garage systems and payment technology at a cost of \$230,833 and monthly expense of \$1,840/month for 5 years at the Chestnut Street and Bicentennial Garages (attachment)
- n) Approve amended grant resolution for the DCED Multimodal Transportation Fund – High Street Streetscape Improvements (attachment)
- o) Purchasing Approvals:
  - 1) Approve payment to Lewis Environmental of \$16,089.91 (attachment)
  - 2) Approve McClure Company COSTARS proposal for Taylor Run WWTP Control Building HVAC Replacement for \$59,727 (attachment)
  - 3) Approve one year contract with Munibilling at a cost of \$13,500 for Stream Protection Fee administrative software (attachment)
  - 4) Approve payment of \$12,100 to USALCO (attachment)
  - 5) Approve payment of \$22,172 to ArcheWild (attachment)
  - 6) Approve payment of \$23,472 to Horgan Tree Experts (attachment)
  - 7) Approve payment of \$24,700 to Maillie (attachment)
  - 8) Approve payment of \$11,593.18 to Univar (attachment)
- p) Approve the July 18<sup>th</sup> and 19<sup>th</sup>– 2023 Borough Council Meeting Minutes

**7) Other Business:**

***Adjournment***

