

MINUTES
Borough Council Meeting
Worksession
 June 19 @ 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 Galey, 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, CBO

Note: Mr. Galey was absent from the meeting

1) Comments, suggestions, petitions by residents in attendance regarding items not on the agenda

Mark Thompson, 418 West Barnard Street, asked to be heard. He was the former chairperson of the West Chester Citizens Financial Advisory Committee (WCCFAC). The Committee issued a 40-page report in 2012. Mr. Thompson recently read the PEL report and feels the WCCFAC and PEL reports are very similar. He expressed concern with the proposed 50% EIT increase, which was recently on a council agenda. Ms. LeBold wanted it noted and made very clear, that the increase was a proposed .25% (a quarter percent) increase and not 50%. Mr. Thompson asked Council to review the WCCFAC report prior to raising taxes.

Ms. LeBold announced Council would be excusing themselves to go into Executive Session to discuss the liquor license application after Benecon made their presentation. She also announced the presentations on the first quarter pension investment review by Bikram Chada, PFM, and the update on the Stream Protection Program by Mr. Barbine were being tabled.

2) Presentation by Jonathan Ebersole, Senior Accounting Manager - Benecon

Mr. Ebersole introduced himself and made a brief presentation to Borough Council on the Pennsylvania Municipal Health Insurance Cooperative, of which the Borough has been a long-standing member. Benecon is not a health insurance carrier, but a cooperative which is governed by a Board of Directors made up of City, Township and Borough managers throughout Pennsylvania. After the presentation, Mr. Ebersole presented Mr. Perrone with a check for \$296,778 which represents 75% of the 2017 surplus. He also noted \$2.5 million dollars in surplus has been returned to the Borough over the past six years.

3) Liquor license application for 7-9 North Church Street

Borough Council excused themselves to go into Executive Session to discuss the liquor license application for 7-9 North Church Street. After returning from Executive Session, Ms. LeBold asked for a Motion.

Mr. Braceland made a motion to authorize the Borough Solicitor to file a petition to intervene in the liquor license application; Mr. Flynn seconded the motion.

Roll Call: Mr. Stefano-Yes; Mr. Flynn-Yes; Dr. Polk-Yes; Mr. Braceland-Yes; Mr. Scott-Nay; Ms. LeBold-Yes. *Motion carries 5-1 with Mr. Scott dissenting.*

4) Zoning Hearing Application – Saxbys Coffee – 701 S. High St. – Requesting Variance from §112-83.A(9) & §112-83.A(10) for New Business Signage

This item was moved to the beginning of the agenda at the request of a resident. Mr. Gore stated no action was recommended by the Smart Growth Committee. Mr. Stefano asked Mr. Gore to clarify what the applicant was seeking as opposed to what the zoning code allows. Mr. Gore stated the applicant is seeking a variance to install two, 20 square feet illuminated signs, one on each street frontage. The zoning code allows one sign, at a maximum of four square feet, in that zoning district; illuminated signs are not permitted. Sue Bayne asked to be recognized. She stated many of the neighbors are opposed to the signs and asked Borough Council to send the solicitor to oppose the application. The request was denied.

Public Works Committee

- 5) Approve entering into a contract with Bartlett Tree Experts for Shade Tree Maintenance/Arborist duties in accordance with attached contract

Mr. Braceland said the Committee appreciated that the company is local, and they are confident Bartlett Tree Experts has the experience and expertise to perform the duties as required.

This item was moved to the June 20th consent agenda

- 6) Approve Green Infrastructure Project Change Order #2 for Total Site Development, Inc. for total construction cost of \$8,770.50

Concerns were raised regarding pedestrian safety; therefore, it was decided to install sidewalks, along with curbing and handicapped ramps, and a fence will be installed around the garden.

This item was moved to the June 20th consent agenda

Parking Committee

- 7) Approve the addition of two (2) one (1) hour parking spaces for users of Kathy McBratnie Park on the north side of 300 West Niels between the end of the student C permit area and the start of the B permit area. In addition, consider removing one (1) handicap parking space from the north side of the 200 block of East Miner as well as the L permit restriction from that side of the block to allow for three (3) two (2) hour parking spaces for users of John O. Green Memorial Park

There is limited parking available for residents to use the parks, which is why these changes are being requested. Clark Elms was asked to conduct a user survey of the two handicapped parking spaces on the 200 block of East Miner Street. Twenty checks were made, and at only one time were both spaces occupied. There now will be three public spaces and one handicapped space on the block rather than two public spaces and two handicapped spaces.

This item was moved to the June 20th consent agenda

- 8) Authorize the solicitor to draft an ordinance to remove the handicap parking space at 126 East Miner Street

A resident stated there was abuse of this handicapped space, which was installed for her mother, who has since passed away. There are three additional handicapped spaces on the block.

This item was moved to the June 20th consent agenda

- 9) Authorize the preparation of an RFP to hire an engineer to draft a scope of work and specifications to repair two elevators at the Chestnut Street garage

Dr. Polk stated the work needs to be completed and the money is budgeted.

This item was moved to the June 20th consent agenda

ACT Committee

- 10) Approve entering into a contract with Horn Plumbing & Heating for installation of a Carrier Infinity Mini-Split Heat Pump, Option #1, at the Eclat Chocolate location at a cost of \$4,950

Mr. Stefano explained there is a discrepancy in the lease between the Borough and Eclat Chocolate as to the responsibility of the heating system. It is believed if this matter goes to litigation, the Court would favor Eclat because of the discrepancy.

This item was moved to the June 20th consent agenda

- 11) Approve the proposal from Hammel Associates to prepare a needs assessment, program and cost analysis for the proposed Public Works Department building at a cost not to exceed \$5,000

Hammel Associates is the architect who is working on the Borough Hall renovation project. The needs assessment is the first step in the process of the proposed construction of a new Public Works building at the Pfizer property.

This item was moved to the June 20th consent agenda

- 12) Approve entering into a contract with O'Donnell & Naccarato for Project Management oversight of the repairs to the New Street Parking Garage at a cost of \$27,200

Mr. Stefano explained that as a result of the litigation between the Borough and the original builder of the New Street parking garage, the firm of O'Donnell & Naccarato, as part of the settlement agreement, will oversee the repairs and act as the project manager.

This item was moved to the June 20th consent agenda

- 13) Approve the purchase and placement of a new decal to be placed on the message panels on the BigBelly receptacles at a cost of \$631.00

There has been a minor change to the design of the decal. The Committee approved the new decal and placement of the decal.

This item was moved to the June 20th consent agenda

- 14) Approve entering into a contract with CDW-G for the purchase and installation of AV & Recording equipment for the Borough Hall renovation at a cost of \$264,402 through state contract NJPA 100614

The high tech, state of the art AC/recording equipment is needed due to the renovation of Borough Hall. The money for this equipment is in the budget.

This item was moved to the June 20th consent agenda

Public Safety Committee

- 15) Accept the Special Event municipal costs to the Borough and change the application timeframe from 45 to 60 days, both to be implemented on January 1, 2019.

Mr. Flynn said the costs are accurate, actual costs based on the manpower needed to staff an event. Vehicle depreciation costs have been removed. Mr. Scott feels this item needs further discussion.

This item was moved to the June 20th agenda to be further discussed.

- 16) Authorize the Solicitor to prepare an ordinance to satisfy sight distance requirements for three entrance/exits at the Metropolitan Apartments driveways located at East Marshall Street, 300 Block: the entrance/exit furthest west will become a one-way; the center entrance/exit will have two parking spots removed facing west and two removed facing east for sight distance reasons; and, the entrance/exit closest to Convent Lane will have a no turn left sign posted and five parking spots will be removed facing west

The request was made to eliminate parking on Marshall Street with the intent to create clear, site triangles and to clean-up site lines to eliminate the hazard when pulling out of the complex.

This item was moved to the June 20th consent agenda

- 17) Discuss the request from West Chester University to apply for a Pennsylvania Department of Community and Economic Development Multimodal Transportation Fund grant to increase pedestrian safety at the intersection of South High Street and University Avenue, at no cost to the Borough

The request from West Chester University was withdrawn.

Smart Growth Committee

- 18) Accept the recommendation of the West Chester Borough Planning Commission regarding the proposed new Subdivision and Land Development Ordinance with the additional requirement for a developer to notify adjacent property owners when a plan extension is requested

After the Borough Solicitor and the County Planning Commission review the proposed new Subdivision and Land Development Ordinance, Council will be asked to set a public hearing date to adopt the new Subdivision and Land Development Ordinance. Mr. Gore explained additional language has been added, at the request of a resident, for the applicant to notify adjacent property owners when a land development plan is being extended. There was then a request made for the Borough to be responsible for notifying the adjoining property owners, rather than the applicant. Mr. Perrone disagreed and stated the applicant should be required to send the notice. The Borough solicitor, as well, agreed the applicant should be responsible for sending the notice.

There was no action required on this item.

- 19) Set a public hearing date for the adoption of the Snow & Ice Removal Ordinance 95-21

It was suggested a public hearing date be set for July 18th at 7:00 p.m.

This item was moved to the June 20th consent agenda

- 20) Authorize entering into a revised contract with Bureau Veritas for Electrical Plan Reviews & Inspection Services with a reduction of the rate from 65% to 40%

Bureau Veritas performs electrical plan reviews and inspections for the Borough. Bureau Veritas currently keeps 65% of all electrical permit fees collected. Mr. Gore renegotiated the fee to 40% of all electrical permit fees collected.

This item was moved to the June 20th consent agenda

- 21) Approve the May 2018 HARB Applications in accordance with the provided HARB recommendations. ***** Applications 2018-17 and 2018-20 were tabled***

There were no concerns with the HARB applications.

- a) 2018-18: 113 W Gay - Precision Eye Care
Install building mounted sign on front façade
- b) 2018-19: 119 N High – Meradia
Relocate existing hanging sign and install building mounted sign on front façade
- c) 2018-21: 34 S High - Jeffrey Beitel Architects
Construct rear building addition, renovation of front facade entry door, window trim and replacement of rear and side windows, doors, stairs and stair railing
- d) 2018-22: 134 N High - Emily Alice Salon
Install hanging sign on front facade utilizing existing bracket

This item was moved to the June 20th consent agenda

- 22) Other Business:

Clark Elms attended both a local and a national parking conference. He was able to share ideas with colleagues, make new contacts and formulate ideas to assist with parking in the Borough. He thanked Borough Council and the Borough Manager for allowing staff to attend these conferences.

Adjournment 8:40