

COLLEGEVILLE BOROUGH
MEETING MINUTES
June 1, 2022

The meeting was called to order at 6:30 PM by Council President Cathy Kernen.

ROLL CALL: President Cathy Kernen, VP Gary Hoffmann, PPT Craig Farr, Marion McKinney, Kathy Costello, Valarie Beckius, and Dean Miller

ALSO IN ATTENDANCE: Solicitor Rebecca Geiser, Engineer Dave Leh, Police Chief Bart Bucher, Manager Tamara Twardowski and Assistant Suzanne Robertson

MOTION to approve the minutes from the April meeting by McKinney with a second by Farr
MOTION carries 7-0

Ms. Geiser opened the hearing to discuss the College Gateway Overlay. She explained that this ordinance will allow for mixed use buildings at the four corners of 5th & Main Streets. She noted that the underlying zoning is still applicable and that the mixed use would be allowed by Conditional Use and would come before Council for approval. Parking conditions and other issues were discussed. Ms. Geiser explained that new “uses” will always come up and that Council will, at some time, need to revisit and address them. No ordinance can cover every possible scenario.

MOTION to approve the College Gateway Overlay by McKinney with a second by Costello
MOTION carries 7-0

Hearing closed.

PUBLIC COMMENT:

Charles Carfagno 286 McCarthy Circle – Mr. Carfagno came to follow up and find out where the Borough stands on historic buildings. Ms. Kernen explained that we are in the process of adopting an Ordinance that will aim to preserve historic buildings. He also complained about a local shop that is doing business in an inappropriate way. He said he has reported Massage Quest in the Redner’s shopping center several times because he believes they could be sex trafficking.

Jim Devries 137 Russell Circle – Mr. Devries asked about the status of the old DaVinci’s. Ms. Kernen explained that there is a parking dispute between the new owner of that building and Transfleet. Transfleet owns all the parking to the left and all the way back to the Power House building. Before the sale of the property, there had been an agreement between the owners that DaVinci’s could use the parking lot. There is no such agreement with the new owner. She believes there is litigation underway. Mr. Devries also asked about the Perkiomen Bridge Hotel. Ms. Kernen said they are looking into next steps to have all of the additions removed and debris removed from the site.

COMMITTEE REPORTS

BUDGET & FINANCE:

MOTION to approve checks #5531-5578 and the Treasure’s report by McKinney with a second by Hoffmann

MOTION carries 7-0

BUSINESS DEVELOPMENT: Ms. Kernen asked for council to consider allowing alcohol in the parks for special events, fundraisers etc. Ms. Geiser will get to work on drafting an Ordinance.

REGIONAL PLANNING: Ms. Beckius reported that their meeting was on May 16. They discussed a report regarding the return on investment on open space. There are many positives including elevated property values, pollution reduction and recreation. Upper Frederick is considering a new type of office complex that resembles townhouses, but is actually office space with garage storage for contractors. Perkiomen Valley High School is separating their concession stand from the ground storage building. The Renninger property development is running into storm water issues. The next meeting will be June 20.

CTMA/PUBLIC WORKS: Ms. McKinney noted that she was at the PSAB conference, so was not at the meeting. Ms. Beckius said the major discussion was about joining the Low Income Household Assistance Program. Mr. Farr reported that the sonar leak detector has already been proven to be a great investment as a major leak has been found and repaired.

LPVRS: Ms. Stagliano reported the following:

2 EDUs approved for capacity rights

82 EDUs for Chapter 94 Consistency Letters approved

New PC/Server were approved in the amount of \$5768.00

Projects:

Sludge Tank Mixer - entered into a contract with Eastern Environmental via COSTARS. Supply chain issues need to be resolved.

All 4 Secondary Clarifier Catwalk tanks are completed.

Generator - Preparing to post on PennBid.

Grit Building Piping - Gilmore Design completed. Proposals thru COSTARS.

Middle Perkiomen Creek Interceptor-

Percentage complete - 95%

Contract Amount - \$40,277,551.45

Work completed to date - \$34,305,015.86

Percentage - 85% (payment)

Approx. 2000 LF of pipe remains to be installed of the original 16,826

Pipe crew will continue installation of 48" pipe in Lower Providence

Install permanent trail fence. Waiting for Montgomery County communication.

PARKS: Ms. Costello reported that the first concert in the park will be Bigg Romeo on June 9 at 7PM. There will be a BBQ Food Truck and Downtown Scoop ice cream truck. On June 23, the Bachelor Boys will play also at 7PM. Food Truck and Rita's Water Ice will be on site. An ADA swing will be ordered for the park and she is also looking into getting one for Water Works Park. Ms. Costello is working on a survey to send to residents to get feedback on what improvements residents want to see at the park.

PERSONNEL: Ms. Kernen noted there was an executive session before the meeting regarding a personnel matter.

STREETS & PUBLIC SAFETY: Mr. Farr said they are considering changing their meeting day to accommodate the Fire Company as they have their training on Monday evenings. It is being proposed

to hold the Public Safety meetings on the fourth Wednesdays of the month at 6 or 6:30PM. There have been some complaints about speeding on 8th Avenue as well as Clayhor Avenue. They are having this month's meeting on Monday (the 6th) to discuss the traffic assessment survey done to advise the road conditions throughout the borough by Gilmore.

ADMINISTRATIVE REPORTS

ENGINEER: Mr. Leh reported that Gilmore has completed their Road Evaluation Report and will be reviewing with the Streets & Public Safety Committee at their June meeting. Permit applications have been submitted to Pa-DEP for all three culverts. We have received our approval for 5th Avenue. 6th Avenue requires approval from PA Fish & Wildlife Services due to a potential Bog Turtle habitat, and we are still awaiting comments, or approval, for 8th Avenue from Pa-DEP.

SOLICITOR: Ms. Geiser worked on several items this month.

MOTION to approve advertising our new Blight Ordinance by McKinney with a second by Costello
MOTION carries 7-0

Ms. Geiser explained the new Historic Asset Ordinance and there was a discussion about what buildings qualify and the procedure for enforcement. It was decided there is some work still to be done, so it will come back with updates to the July meeting.

MOTION to authorize the Settlement Stipulation Agreement regarding an Assessment Appeal for a property in the borough by Costello with a second by McKinney
MOTION carries 7-0

MANAGER: Ms. Twardowski announced that it was decided that is not in the Borough's best interest to pursue a shared parking agreement with businesses on Main Street at this time. She feels there will be difficulties with enforcement and there is already limited parking at Borough hall. Handouts were provided with tips for storm water.

POLICE: Chief Bucher noted that they took part in the "Click it or Ticket" program from May 25-27 and focused on Clayhor and West Third Avenues.

MOTION to approve the road closing for the Fire Company's Annual Car Show On Aug 15 from 7AM-5PM from 3rd Ave to 9th Ave by McKinney with a second by Costello
MOTION carries 7-0

MOTION to approve Fire Police to attend the Skippack Lion's Club 5K on June 25, The Skippack 4th of July Parade on July 4, The Lower Providence Fair from June 2-11 and Lower Providence Fireworks on July 4th (with a rain date of 7/5) by McKinney with a second by Beckius
MOTION carries 7-0

FIRE: No report

MAYOR: The Mayor continues his work the 422 Coalition that hopes to make our area a more age-friendly community. The Landing will be hosting a training event on June 15 for local businesses toward that goal. He wrote an article on Pride Month and asked that anyone interested in reading it go to the Mayor's Blog on the borough website.

PUBLIC COMMENT:

Steve Gehringer from Ursinus thanked the police and fire police for their help at their graduation.

Robert Botti CEDC asked if we could consider permanently marking the field at Water Works Park for the parking areas needed for the parade, yard sale and other events. It would make it so much easier if they didn't have to start over every year. Ms. Kernan agreed and said she will speak with the Trappe manager.

OTHER BUSINESS: Dean Miller brought up a legal situation and court decision that was in the news recently that could affect the borough of Collegeville and other municipalities. He thinks it requires preventative action by Collegeville. The city government of Boston had allowed non-governmental groups to have their flags flown over City Hall. A Christian group sought to have the city fly their "Christian" flag. The group, Camp Constitution, teaches that the United States was created as a "Christian nation" and this group tends to blur the lines between church and state. But based on the Constitutional separation of church and state, the city denied their application to fly their Christian flag. The group then sued the city, claiming their free speech rights were violated. In district court and the U.S. Court of Appeals, the city prevailed, but the Christian group persisted and appealed to the U.S. Supreme Court.^[1] A few days ago, the Supreme Court ruled against the city. The city would, in effect, be forced to fly the Christian flag at the seat of government. The city would lose some control over what flags they could and couldn't fly at their seat of government. In effect, the group had argued that if the city allows ANY non-governmental group to fly its flag, then the flag pole is a public forum, and thus the city must allow any other group who requests it, to fly THEIR flag. The Supreme Court agreed with them. Mr. Miller said he searched the Collegeville codes, and was not able to find any ordinance governing Collegeville's policy regarding flag-flying requests. So, for these purposes: 1.) to avoid the borough being sued, 2.) to avoid confusion and misunderstanding, and 3.) to prevent the borough from being legally forced into flying undesirable flags, such as the Confederate flag (which did fly at the January 6th insurrection at the nation's Capital), he is advocating that Collegeville establish a policy. Ms. Geiser advised that her firm has dealt with this issue on many occasions and that her suggestion is to not enact a policy. She maintains that if the flag status remains as a government forum (only), it withstands any and all challenges.

Ms. Kernan noted that the Memorial Day Parade was a huge success and thanked all of the volunteers.

MEETING ADJOURNED 8:16PM

RESPECTFULLY SUBMITTED BY,

Tamara Twardowski