

**MINUTES
BOROUGH COUNCIL MEETING
AUGUST 3, 2016**

The Downingtown Borough Council met in regular session August 3, 2016 at the Municipal Government Center, 4 W. Lancaster Ave., Downingtown, PA. Members present: Vice President Rakoff, Councilors Dague, McGlone, Thomas and Feldman. Also attending were Solicitor Thompson and members of Borough staff. President Gazzo and Mayor Maxwell did not attend.

Vice President Rakoff called the meeting to order at 7:00 p.m. The purpose of the Executive Session was to discuss legal issues.

Recognition/Awards – Ginny Pierce, Historic Commission, announced the names of the Good Neighbor Day Duck Race winners: 1st place Lily Van Aiken \$100, 2nd place Sonia Conrad \$50 and 3rd place Bob March \$25.

Approval of Expenditures (Period Ending July 31, 2016) – Councilor Thomas made a motion to approve the expenditures for the period ending July 31, 2016, Councilor McGlone seconded; motion carried 4-1 (Councilor Feldman opposed).

Approval of Borough Council Minutes (July 6, 2016) – Councilor Dague made a motion to approve the minutes of July 6, 2016, Councilor Thomas seconded; motion carried unanimously.

Citizens to be Heard

Patricia Harootunian, 107 W. Uwchlan Ave., commented on funds donated to the disbanded Historic & Parks Commission.

Sarah Brown, East Brandywine Twp., commented on the condition of the millrace, lakes and Kardon Park.

Bobbi Jo Broomell, 302 N. Lake Dr., commented on the electronic billboard and status of a second opinion from another solicitor.

Councilor Feldman, 102 Lake Drive, commented on the Kardon Park agreement of sale and subsequent amendments.

Deferred Business

Downingtown Outdoor, LLC – Vice President Rakoff reported Borough Council has obtained a second legal opinion. Solicitor Thompson reported the attorney the Borough hired for a second opinion, reviewed and concurred with his opinion that the Borough of Downingtown followed all the required procedures in issuing the conditional use approval.

Mr. Sullins reported the trees are on target to be planted in September.

Conditional Use Decision/Order (Morris Realty Advisors/Fee in Lieu of Parking) – Councilor Thomas made a motion to approve the Conditional Use Decision/Order for Morris Realty Advisors and the fee in lieu of parking, Councilor McGlone seconded; motion carried unanimously.

New Business

2015 Borough Audit Review (Pam Baker & Edmund Fosu-Laryea/Barbacane Thornton & Co.) – Pam Baker provided a review of the completed December 31, 2015 Borough audit and

answered questions from Council. Councilor McGlone made a motion to accept the December 31, 2015 Borough audit, Councilor Feldman seconded; motion carried unanimously.

Chester County Water Resources Authority (Jan Bowers) – Ms. Bowers reported on the proposed project to remove the Downing Ridge Dam, a “low-head” dam, for public safety reasons. The dam is recognized as a very high risk drowning hazard due to hidden hydraulic current created at the downstream face. They anticipate removing the dam sometime during 2017. Updates will be provided as the project progresses.

Ponds Management Contract – Mr. Sullins reviewed the contract submitted by John Phelps, Solitude Lake Management. He reported it is a two year contract which includes submitting applications for all required permits and licenses, a chemical treatment plan and aeration that will clean the ponds up. Council requested additional information on payment prior to making a decision and deferred action to September 7, 2016 meeting.

Ordinance 2016-04 Amending Chapter 203 Parks & Playgrounds Supporting Young Lungs At Play Program – Councilor Thomas made a motion to advertise with the intent to adopt Ordinance 2016-04, Councilor McGlone seconded. After discussion, motion carried 4-1 (Councilor Feldman opposed).

Jefferson Avenue Parking (Update) – Mr. Sullins reported a petition was received from Jefferson Avenue residents (100 block) requesting permit parking in the Borough’s Jefferson Avenue lot. However, the permit parking proposed by Borough Council for the Jefferson Avenue residents was on-street parking. Each residence will be issued two residential parking permits and two guest passes. The on-street residential parking permit is free. Residents have the option to purchase a parking permit for the Jefferson Avenue Borough lot at a cost of \$125 for six months and \$250 for an annual permit. This is the same program offered to other neighborhoods within the Borough. Vice President Rakoff asked Ms. Hightower to revise the petition so it states the Jefferson Avenue residents (100 block) are requesting on-street residential permit parking.

Municipal Auction (Borough surplus items) – Mr. Sullins requested Borough Council’s authorization to complete the transactions of the auction to the highest bidder and ratify the sales during the September 7 meeting. Councilor McGlone made a motion to authorize staff to complete the auction transactions to the highest bidder and ratify the sales during the September 7 meeting, Councilor Feldman seconded; motion carried unanimously.

Mayor & Council Updates

The Summer Jam series have been very successful, the next one is scheduled on Friday, August 26.

The Wall That Heals, a smaller replica of the Vietnam War Memorial, was on display at East Brandywine Twp. from July 27-31.

Vice President Rakoff announced the August 17 and 24 Borough Council meetings are cancelled, the next Council meeting is scheduled on September 7, 2016 at 7:00 p.m.

Councilor Feldman commented on the Borough Council meeting cancellations.

Adjournment

Councilor Feldman made a motion to adjourn the meeting at 9:35 p.m., Councilor Thomas seconded; motion carried unanimously.

Millie Byerly
Assistant Secretary