

**MINUTES  
BOROUGH COUNCIL MEETING  
OCTOBER 4, 2023**

The Downingtown Borough Council met in a regular session on October 4, 2023, at the Municipal Government Center, 4 West Lancaster Avenue, Downingtown, PA. Members present: President Rakoff, Vice President Plaughter, Councilors Howard, Horstmann, Ferris and Helm. Also attending were Mayor Dague, Solicitor O'Keefe and members of Borough staff.

Solicitor O'Keefe announced the purpose of the Executive Session this evening was to discuss personnel and litigation.

**Approval of Expenditures (Period Ending September 30, 2023)** – Councilor Horstmann made a motion to approve the expenditures for the period ending September 30, 2023, Councilor Helm seconded; motion carried unanimously.

**Approval of Borough Council Minutes (September 6, 2023)** – Councilor Helm made a motion to approve the Borough Council minutes of September 6, 2023, Councilor Horstmann seconded; motion carried unanimously.

**Recognition/Awards** - None

**Citizens to be Heard**

Ryan Kunley, 425 Sunset Dr., commented on PennDOT project to install curb cuts in several locations where there are no sidewalks. He spoke with a PennDOT representative asking if there were plans to extend the sidewalks due to the amount of traffic utilizing Rt. 113 and safety concerns for pedestrians.

**Deferred Business** - There was no deferred business.

**New Business**

Ordinance 2023-03 Amending Chapter 150 Floodplain Management – Councilor Ferris made a motion to authorize the final draft and advertise with the intent to adopt, Councilor Helm seconded. Motion carried 5-1, Councilor Horstmann opposed. The ordinance will be provided to the Chester County Planning Commission for their review/comments and the Borough's planning commission for their review/comments prior to adoption.

Resolution 2023-11 Reducing Police Officer's Pension Contribution During 2024 – Councilor Horstmann made a motion to adopt Resolution 2023-11, Councilor Ferris seconded; motion carried unanimously.

Resolution 2023-03.1 (Amended) Designation of Agent Hazard Mitigation Grant Program – Matt Bush, Borough Engineer, reported the resolution was amended due to a necessary correction requested by FEMA. Councilor Howard made a motion to adopt amended Resolution 2023-01.1, Vice President Plaughter seconded; motion carried unanimously.

Asbestos Contractor for FEMA Buyout Program – Matt Bush, Borough Engineer, provided Council with information from proposals submitted by several vendors. His recommendation was to proceed with ECS Mid-Atlantic, LLC. Councilor Horstmann made a motion to proceed with ECS Mid-Atlantic, LLC at an estimated cost of \$17,010, Councilor Helm seconded; motion carried unanimously.

Residential Plan Review/Inspection Services and Floodplain Administrator – Mr. Smith reported due to the resignation of Matt Lafferty, Code Enforcement, the Borough will need certified inspectors to continue performing the Borough's inspections. Proposals were received from

several vendors certified to perform specific types of inspections. Councilor Howard made a motion to approve the agreement with ARRO Consulting, Inc. to perform the residential plan reviews and inspections and serve as floodplain administrator, Vice President Plaughter seconded; motion carried unanimously.

Electrical Inspection Services – Councilor Horstmann made a motion to proceed with the agreement established with United Inspection Agency to perform the electrical plan review inspections, Councilor Ferris seconded; motion carried unanimously.

Commercial Inspection Services – Vice President Plaughter made a motion to proceed with the agreement received by Keystone Municipal Services, Inc. to perform the Borough's commercial inspections, Councilor Helm seconded; motion carried unanimously.

Municipal Advertising – Councilor Helm made a motion to proceed with advertising the Police Department vehicle and Public Works Department equipment/items, Councilor Howard seconded; motion carried unanimously.

Fall Fest Rescheduled – Councilor Howard made a motion to approved the rain date of October 15<sup>th</sup> to host Fall Fest, Councilor Ferris seconded; motion carried unanimously.

Waiver of Conflict – Solicitor O'Keefe informed Borough Council since Lamb McErlane PC represents the Borough, as well as, the Downingtown Municipal Water Authority as solicitor, he was disclosing a conflict of interest pertaining to a civil matter filed in District Court. Borough Council may agree to waive the conflict of interest waiver. Councilor Ferris made a motion to waive the conflict of interest waiver provided by Solicitor O'Keefe and authorized him to respond to the civil matter, Councilor Horstmann seconded; motion carried unanimously.

### **For the Good of the Order**

The Log House was open on Sunday and there were approximately 30 visitors who participated in the tour.

The Parks & Rec Commission's Boo Bash event will be held on October 21 in Kerr Park from 5 to 9 pm.

The Downingtown Library Fall book sale will be held from October 13-15.

The D-town Brew Down library fundraiser will be held at Minquas Fire Company on October 28 from 1-5 pm.

### **Adjournment**

Councilor Horstmann made a motion to adjourn the meeting at 7:35 p.m.; motion carried unanimously.

Respectfully submitted,

Millie Byerly  
Assistant Borough Secretary