

May 4, 2016

## COMMITTEE OF THE WHOLE MEETING

The May 4, 2016 Committee of the Whole meeting was called to order at 7:00 p.m. by President Weand in the Council Meeting Room, Pottstown Borough Hall, and 100 East High Street, Pottstown, PA.

### ATTENDANCE

Councilors present were Ryan Procsal, Sheryl Miller, Dennis Arms, Dan Weand, Rita Paez and Joseph Kirkland. Also present were Manager Mark Flanders, Assistant Manager Erica Batdorf, Solicitor Charles Garner, Mayor Sharon Valentine -Thomas and Borough Secretary Virginia Takach. Carol Kulp was absent.

### INVOCATION

### SUBCOMMITTEE REPORTS

- a. Infrastructure – There was no report in Councilor Kulp’s absence.
- b. Economic Development & Business Liaison – Ms. Batdorf provided an update on the recent Ferkin Fest and upcoming PowWow and car show events. She added that an employee recognition initiative has been implemented and advised that it is also public service recognition week. Ms. Batdorf added that the Borough will be recognizing employees, focusing on years of service and exemplary performance. She also reported that the Citizens Leadership Academy has had its first class.
- c. Transportation – There was no report in Councilor Kulp’s absence.
- d. Ricketts Community Center/OBGC – Councilor Kirkland will provide the report on Monday.
- e. Pottstown School Board – The report will be listed for Monday.
- f. Ad hoc Zoning – President Weand advised that there was no meeting.
- g. Ad hoc Animal – Vice President Miller reported on the 6<sup>th</sup> Annual Pet Fair along with upcoming fund raisers. She added that Jeff Dentler will be on hand for a dog walking safety program.
- h. Safety – Chief Drumheller reported that the railway repairs have been completed at South Hanover and Industrial Highway. He also noted that the Department will be working with the road closure and safety measures for the IN FOCUS Film Festival with more details to follow. Chief Drumheller advised that the Department continues to work with the Youth Aid Panel of Montgomery County. He added that a grant through the Housing Authority for cameras is pending. The Chief also announced a Community Prosecution unit with the County and introduced Captain Gabe Magee and Assistant District Attorney Briana Ringwood.

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### PRESENTATION – OFFICER OF THE YEAR 2015

Chief Drumheller, along with Mayor Thomas read and presented the 2015 Officer of the Year award to Detective Corporal Thomas Leahan in the presence of his family and fellow officers.

### MAYOR'S REPORT

Mayor Thomas advised that she attended a Gigabit Revolution meeting regarding the initiative to bring ultra-high speed internet capacity through fiber optic trunk lines through the I95 passage. She advised that another meeting is scheduled for May 16<sup>th</sup>. Mayor Thomas also commented on information obtained through Equity First, regarding the equitable distribution of \$4 million for the 2016-2017 education budget.

Mayor Thomas also commended the District Attorney's office for its assistance with the Pottstown Police Department within the past year. She also commended Sergeant Rathgeb for his work with the homeless in the area.

Mayor Thomas reported that she received a call from a representative of the Lords and Ladies Salon regarding the cost of the paperwork for its recent project. She explained the rules and regulations by which the guidelines are set. The Mayor recommended a meeting with Licensing and Inspections prior to starting any project.

### MANAGER'S REPORT

Manager Flanders reported that the Use and Occupancy Certificate has been issued for the new Public Works Facility. He also advised that 17 attendees are registered for the Citizens Leadership Academy. He thanked President Weand and Mayor Thomas for attending and Vice President Miller for the initiative. Mr. Flanders also reported that the demolition of the former Police Substation, 509 Chestnut Street, is progressing, with interest from the Habitat for Humanity for a single family dwelling on the site. Mr. Flanders also advised that the concept of hiring a third party entity to take over the Crossing Guard program with the School District. He also advised that the speed limit will be reduced on several Borough streets within the next few months. Mr. Flanders reminded all of the June 4<sup>th</sup> tour of the Wastewater Treatment Plant. He also announced that May 15<sup>th</sup> is Police Officers Memorial Day.

### PRESENTATION – JENNA STOLTZFUS, POLICE DEPARTMENT LIAISON

Jenna Stoltzfus provide her background information on the Liaison services with the Pottstown Police Department, which began with Chuck Gallen in conjunction with Creative Health Services. Ms. Stoltzfus advised that she is a licensed social worker and works with the Police Department, crime victims and mental health matters. She added that she initiates family service connections.

### PRESENTATION – FAMILY SERVICES

Alicia Adams, Case Worker for Family Services of Montgomery County and the Pottstown Meals on Wheels, was present and provided an outline of the services and importance of the Meals

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on Wheels program. She noted the upcoming fund raising events and invited all to participate or volunteer with the program.

(ADD-ON) - ALLEGHENY EAST CONFERENCE)

Mayor Thomas explained the request of the Allegheny East Conference, to conduct a health fair in the Smith Family Plaza on June 26<sup>th</sup>.

President Weand noted that this would be listed for consideration on the regular agenda.

PROCLAMATION – PUBLIC SERVICE WEEK

Mayor Thomas read a proclamation honoring all those who serve in public service and recognized that May 1 through May 8, 2016 is Public Service Awareness Week in the Borough of Pottstown.

SCHUYLKILL HIGHLANDS MINI GRANT PROGRAM

Ms. Batdorf requested authorization to submit an application to sustain the DVRPC TRec Grant approved last month. The \$15,000 Schuylkill Highlands Mini Grant would provide the match for the TRec grant.

This will be listed for the regular meeting.

RESOLUTION – PEMA REIMBURSEMENT DESIGNATION OF AGENT

Mr. Flanders referred to the draft resolution authorizing him as the designated agent for the PEMA reimbursements for the January snow storms.

RESOLUTION – PHILADELPHIA WAGE TAX

Solicitor Garner explained the request of municipal groups wishing to amend the Sterling Act, which sets forth the Philadelphia City Wage Tax. He added that presently the City wage tax remains with Philadelphia and no part of the tax goes to the home municipality where the employee works. The request is to revise the ordinance to provide a portion of the tax to the home municipality amending the Sterling Act.

RESOLUTION – FEE SCHEDULE AMENDMENT – FOG ORDINANCE

Solicitor Garner noted that a fee schedule amendment would be required to support the recently adopted Fats, Oils and Greases Ordinance.

TRUST AGREEMENT – NON UNIFORMED PENSION PLAN

Solicitor Garner provided an update regarding the action to withdraw from the Pennsylvania Municipal Retirement System to oversee the non-uniformed employees' funds. He added that a resolution is required to adopt a trust agreement to oversee the system.

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President Weand advised that these resolutions would be listed for approval on Monday's agenda.

#### ACT 90 DISCUSSION

Mr. Flanders reviewed the former presentation by William Fretz, Wedgewood Properties, requested leniency on accounts owed to the Borough in order to obtain permits for other properties, relaxing requirements under Act 90. He added that Council directed Staff to review these regulations. Mr. Flanders advised that after meeting with Staff and the School District, certain criteria would be that all current Borough, School District and County taxes are paid up to date, all utilities paid to date in full for properties under the same ownership, all past due taxes paid in full under same ownership. Property owner must be up to date on any payment plans through school district taxes. Mr. Flanders advised that this would require no ordinance changes and no action needed by Borough Council.

Vice President Miller suggested several requirements to make the landlord responsible for the health and wellness of the tenants due to the landlords' irresponsibly in maintaining their properties.

Solicitor Garner noted that this would require legal review.

#### LERTA

Mr. Flanders provided an update with Staff's recommendations from the LERTA ad hoc committee.

Vice President Miller commended Staff and the committee for its efforts in this matter.

Solicitor Garner added this also requires approval of the School District and the County and suggested Council list the approval of the concept of LERTA, pending approval of all three entities.

#### BMX TRILOGY PARK CAMPING EVENT

Mr. Flanders reviewed the annual request of the Trilogy Park, BMX Committee to hold a camping event in Memorial Park.

#### BICENTENNIAL CELEBRATION – VETERANS CEREMONY

Mr. Flanders reviewed the request of the Bicentennial Committee to allow a beer garden at the Veterans Ceremony scheduled in Memorial Park on August 20, 2016.

#### GOSPEL RIDERS IRON HORSE SHOW-WAIVER OF FEES

Mr. Flanders also referred to the request of the Gospel Riders event for a waiver of fees in an amount not to exceed \$271.50. The proceeds of the event will support a veteran.

President Weand advised that these requests will be listed for approval on the agenda.

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## HARB

Mr. Flanders referred to the request of Andrew Monastra to be reappointed to the Historic Architectural Review Board for a five year term.

## HARB

Mr. Flanders reviewed the recommendation of HARB to deny Certificates of Appropriateness for the following properties:

- a. 125 King Street - lack of applicant representation
- b. 912 East High Street – lack of applicant representation

The HARB matters will be listed on Monday's agenda.

## BID AWARDS

Mr. Yerger reviewed the bid tabulations for the Sanitary Sewer Cleaning & TV bids and the Street Line Painting. He also reviewed the bid documents for the sale of two Borough vehicles.

These will be listed for Council approval.

## HUMAN RELATIONS COMMISSION

Mr. Flanders reported on Staff's progress on interviewing and seeking statistics on approximately 35 Human Relations Commissions. The report is not yet finalized and will provide results in the near future.

Councilor Miller provided information from the State Human Relations Commission that only one case was referred to the State by the Pottstown Human Relations Commission from January 1, 2014 to April 20, 2016 and no probable cause was found.

## PRESIDENT APPOINTMENTS

President Weand made the following committee appointments:

Councilor Arms to the Infrastructure and Codes  
Councilor Kulp to the Ad hoc Zoning Committee  
Councilor Miller to remain on Safety  
Councilor Paez to Transportation and as Councilor Representative to the EAC

## COMMENTS FROM CITIZENS PRESENT

a. Luvenia Lister, 345 B Beech Street – complained about the potholes on Beech Street, the Bethel AME Church and surrounding alleys.

Mr. Flanders requested that Ms. Lister meet with the Public Works Director on this matter.

b. Latasha Hewitt, Pine Forge Road – spoke on behalf of the Allegheny East Conference

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regarding the Community Fair, scheduled on June 26<sup>th</sup> in Smith Family Plaza. The event is in conjunction with the Mayor's office and will focus on healthy families and healthy children. Ms. Hewitt requested authorization to have a portion of High Street closed for safety reasons.

c. Sheila Dugan, 71 North Hanover Street – thanked Council for its assistance in powerwashing the sidewalks in support of the opening of the downtown FARM market. She also outlined the events scheduled for the opening, May 4<sup>th</sup>.

#### COUNCILORS' GENERAL DISCUSSION

Councilor Arms expressed his displeasure regarding the street sweeping, noting that he feels it is a waste of money. He questioned the cost of \$20,000 per year on street sweeping and noted that if the Borough purchased a sweeper, it could be done more than once a year.

Vice President Miller questioned the cost of the Borough purchasing, maintaining and operating its own street sweeper.

Mr. Flanders explained that it has been researched and noted that Mr. Yerger would provide that information.

Vice President Miller commended all involved with Rock the Block, the Celtic Festival and the retirement of Ladder Truck 13. She also announced the October Brew Fest, the new Citizens Leadership Academy, the PowWow event and the Farm opening.

Mayor Thomas advised that there has been an administrative decision not to tow cars during the street sweeping, but only to ticket those not moved. She also spoke on the Community Health Fair, which will be in partnership with her office and she is the volunteer consultant.

Mayor Thomas also announced that a student, Isaiah Williams, will be shadowing her through the Citizens Leadership Academy. She added that a meeting is scheduled on May 20<sup>th</sup> on her Faith Based Initiative, at Victory Christian Life Center, in order to engage the youth.

President Weand commended all workers during Public Service Week, including Councilor Procsal for his assistance in powerwashing the sidewalks. He also praised Kourtney High for her efforts in conducting the Citizens Leadership Academy.

#### EXECUTIVE SESSION

President Wean recessed the meeting at 8:20 p.m. for an executive session for one item each of personnel, collective bargaining and judicial deliberation.

#### ADJOURNMENT

The meeting adjourned 8:45 p.m.

Attested,

Mark D. Flanders, Borough Manager