

July 9, 2018

POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, July 9, 2018 at 7:00 p.m. in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, Pennsylvania, with President Weand in the Chair.

CALL TO ORDER

INVOCATION

President Weand requested a moment of silence.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilors present were Ryan Procsal, Carol Kulp, Donald Lebedynsky, Trenita Lindsay, Dan Weand, Rita Paez, and Joseph Kirkland. Also present were Mayor Stephanie Henrick, Interim Manager Justin Keller, Solicitor Charles Garner and Borough Secretary Virginia Takach.

APPROVAL OF MINUTES

Motion by Councilor Kirkland, seconded by Councilor Paez to approve the June 11, 2018 Council meeting minutes as presented. Motion carried: 7 ayes.

COMMENTS FROM CITIZENS PRESENT

- a. William D. Mourer, Jr., North Washington Street – expressed a concern regarding the bike lanes and pylons. He also complained about the lack of parking due to the pylons and the signage along York Street. Mr. Mourer suggested using rumble strips instead of the pylons, which are lowering the value of homes in the Borough.
- b. David Garner, 339 Grandview Road – requested consideration regarding his application for appointment to the Planning Commission.
- c. Jon Daywalt, 231 North Charlotte Street – expressed a concern regarding the overrun of cats in the area. He advised that he cannot trap cats as per the Borough's ordinance and requested Council's direction.
- d. Steve Fanella, 970 East High Street – also expressed a concern regarding the parking situation in front of his business at 970 East High Street, BEC Inc., due to the bike lanes and no parking signs. He requested that Council reconsider and review the on-street parking situation.
- e. Al Towson, 438 Lincoln Avenue – presented a petition to Council to have the alley between Lincoln Avenue and Beech Street paved.

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SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand reported that Staff is pursuing an initiative to reduce walk-in payments to be more efficient. He reported that the revenues are presently at 67% and expenses at 46%. President Weand also reported that The Hill School will be contributing \$100,000 for police vehicles.

COMMITTEE REPORTS

a. PDIDA – Ms. Dugan referred to the report submitted and noted that the Board's recommendation for the vacancy is Gabrielle Davidheiser, due to her availability. She added that holiday events are being planned.

b. COG – Vice President Kulp noted that there was no meeting.

c. EAC – Jim Derr advised that there was no new activity.

d. Regional Planning – Councilor Procsal reported that the guest speaker was Eric Jarrell, Multiregional Greenways and Stewardship plan, with recommendations for Pottstown, including a green strip along High Street and a walk-way for Borough Hall.

e. Blighted Property Review Committee – Councilor Procsal advised that the minutes were in the packets.

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Conditional Use, 381 West High Street – Motion by Councilor Lebedynsky, seconded by Councilor Kulp to grant request of Michael Serrano, to utilize the property located at 381 West High Street for an automotive repair and performance shop with conditions as stated in the order dated July 9, 2018. Motion carried: 7 ayes.

b. KEEP Memorandum - Motion by Councilor Kirkland, seconded by Councilor Kulp to approve and authorize execution of the Memorandum of Understanding for the Keystone Employment & Economic Plan (KEEP of Pottstown Borough and West Pottsgrove Township). Motion carried: 7 ayes

c. EIP – Request for Proposal - Motion by Councilor Kirkland, seconded by Councilor Procsal to authorize Staff to proceed with the Request for Proposal for Management and Financial Audit of the Borough of Pottstown as recommended by the Early Intervention Program(EIP).

Mr. Keller noted that the consultant will have several team members to undertake the project.

Motion carried: 7 ayes.

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d. Borough Manager Ordinance – Motion by Councilor Kirkland, seconded by Councilor Paez to adopt an Ordinance amending the Borough Manager Ordinance modifying the residency requirement,

ORDINANCE NO. 2178

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING SECTION 203, QUALIFICATIONS OF MANAGER; RESIDENCE, OF PART 2, APPOINTED OFFICIALS, OF CHAPTER 1, ADMINISTRATION AND GOVERNMENT, OF THE CODE OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO MODIFY THE REQUIREMENT FOR RESIDENCY OF THE BOROUGH MANAGER.

Motion carried: 7 ayes.

e. Title VI Policy - Motion by Councilor Kulp, seconded by Councilor Paez to adopt the 2018 Title VI Policy for the Pottstown Area Rapid Transit System to be in compliance with Federal Transit Administration. Motion carried: 7 ayes.

f. Multimodal Transportation Fund Grant - Motion by Councilor Kirkland, seconded by Councilor Procsal to adopt a Resolution to request a Multimodal Transportation Fund grant from the Commonwealth Financing Authority to be used for High Street Streetscaping.

RESOLUTION NO. 2018-20
Multimodal Transportation Fund Program Resolution

Be it RESOLVED, that the Borough of Pottstown of Montgomery County hereby request a Multimodal Transportation Fund grant of \$175,000 from the Commonwealth Financing Authority to be used for High Street Streetscaping.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Dan Weand, Borough Council President and Justin Keller, Interim Borough Manager as the official(s) to execute all document and agreements between the Borough of Pottstown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Virginia Takach, duly qualified Secretary of the Borough of Pottstown, Montgomery County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Pottstown Borough Council at a regular meeting held on July 9, 2019 and that said Resolution has been recorded in the Minutes of the Borough of Pottstown and remains in effect as of this date.

Motion carried: 7 ayes.

g. Amendments SALDO - Motion by Councilor Kirkland, seconded by Councilor Kulp to authorize the Solicitor to prepare and advertise an ordinance and Public Hearing, addressing minor Subdivision and Land Development Ordinance amendments as recommended by the Ad Hoc Zoning Committee.

Solicitor Garner recommended to advertise the Public Hearing at a later date to include

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upcoming amendments for efficiency and cost effective purposes.

Motion carried: 7 ayes.

h. Trilogy Park Lease - Motion by Councilor Kirkland, seconded by Councilor Paez to approve an addendum to the Lease Agreement between the Pottstown Parks and Recreation Department and Pottstown Trilogy Park Parent Association. Motion carried: 7 ayes.

i. All City Management - Motion by Councilor Kulp, seconded by Councilor Paez to extend the All City Management Services Agreement for the Pottstown Crossing Guards Program, subject to review and approval of the Borough Manager and Borough Solicitor. Motion carried: 7 ayes.

j. ProChamps/Community Champions - Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to approve Amendment No. 2 to the ProChamps/Community Champions Corporation Agreement with the Borough of Pottstown for three (3) additional one (1) year terms. Motion carried: 7 ayes.

k. ABP Investments- 505 Lincoln Avenue - Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to grant a ninety (90) day extension to the ABP Investments, Inc. to satisfy the conditions imposed for the final Land Development Plan for the 505 Lincoln Avenue Project. Motion carried: 7 ayes.

l. Water Trench Restoration – Motion by Councilor Kirkland, seconded by Councilor Paez to award bid for the Water Trench Street Restoration to Eagle Contracting, Inc. Chester Springs, PA as per the bid tabulation of July 2, 2018, subject to review and approval of the Solicitor. Motion carried: 7 ayes.

m. Interim Fire Marshal - Motion by Councilor Kirkland, seconded by Councilor Kulp to approve the agreement between the Borough and Richard C. Lengel for the position of Interim Fire Marshal. Motion carried: 7 ayes.

n. EMC – Motion by Councilor Procsal, seconded by Councilor Kulp to recommend the appointment of Michael Campeggio as Emergency Management Coordinator for the Borough of Pottstown, subject to the approval of the Governor. Motion carried: 7 ayes.

o. Planning Commission – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to appoint Andrew Monastra to the Pottstown Planning Commission to fill a vacant term to expire February 1, 2021.

Councilor Procsal noted that Mr. Garner would also be a great asset but agreed to support Mr. Monastra as he was not chosen last month.

Councilor Paez suggested there may be a conflict of interest with Mr. Monastra on the Commission.

President Weand requested a roll-call vote.

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Kirkland	no	Paez	no
Kulp	yes	Procsal	yes
Lebedynsky	yes	Weand	yes
Lindsay	no		

Motion carried: 4 ayes, 3 nays.

p. Blighted Property – Motion by Councilor Procsal, seconded by Councilor Paez to appoint Brian Hydier to the Blighted Property Review Committee to fill a vacant term to expire December 31, 2018.

Solicitor Garner advised that it is a requirement to have a Planning Commission member as one member of the Blighted Property Review Committee and there are now five choices.

Motion carried: 7 ayes.

q. PDIDA - Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to appoint Steve Everett to the Pottstown Downtown Improvement District Authority to fill a vacant term to expire January 1, 2023.

Councilor Procsal commented that he usually accepts the recommendation of the Board, but understands that Mr. Everett has several investments in the downtown.

Ms. Dugan noted that the Board's recommendation is Gabrielle Davidheiser particularly due to her availability to donate time to PDIDA.

President Weand requested a roll-call vote.

Kirkland	no	Paez	no
Kulp	no	Procsal	yes
Lebedynsky	yes	Weand	yes
Lindsay	no		

Motion denied: 4 nays, 3 ayes.

r. PDIDA - Motion by Councilor Kirkland, seconded by Councilor Kulp to appoint Gabrielle Davidheiser to the Pottstown Downtown Improvement District Authority to fill a vacant term to expire January 1, 2023.

Vice President Kulp commented that it is good to have new and young people getting involved on the boards.

President Weand requested a roll-call vote.

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Kirkland	yes	Paez	yes
Kulp	yes	Procsal	yes
Lebedynsky	no	Weand	no
Lindsay	yes		

Motion carried: 5 ayes, 2 nays.

s. Lee Avenue Closure - Motion by Councilor Kirkland, seconded by Councilor Lindsay to grant request of Cameron Taylor resulting in the closing of Lee Avenue, between Feist Avenue and Spruce Street on July 21, 2018, 11:00 a.m. -8:00 p.m., subject to approval of the Police and Fire Departments. Motion carried: 7 ayes.

t. National Night Out - Motion by Councilor Paez, seconded by Councilor Kulp to grant request of the Victory Christian Life Center resulting in the closing of North Washington Street between Chestnut Street and Rowan Alley for the National Night Out event, August 7, 2018, 3:00 p.m. – 8:30 p.m., subject to approval of the Police and Fire Departments. Motion carried: 7 ayes.

u. HARB – Motion by Councilor Kirkland, seconded by Councilor Paez to approve a Certificate of Appropriateness for the property located at 312 King Street as recommended by HARB. Motion carried: 7 ayes.

v. HARB – Motion by Councilor Procsal, seconded by Councilor Kulp to ratify action of the Building Permit Officer approving Certificates of Appropriateness for the following properties:

- i. 1122 High Street
- ii. 20 North Franklin Street

Motion carried: 7 ayes.

REPORT OF BILLS

Motion by Councilor Kulp, seconded by Councilor Paez to pay the outstanding bills in the amount of \$2,912,616.61. Motion carried: 7 ayes.

ANNOUNCEMENTS

Councilor Paez noted that her Borough issued phone has not worked for three years.

Mayor Henrick requested the residents' cooperation in limiting the use of fireworks so as not to disrupt the community and the disturb the animals.

EXECUTIVE SESSION

President Weand recessed the meeting to executive session at 7:35 p.m. for an item of personnel and advised that the Board may return for action.

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ADJOURNMENT

President Weand adjourned the regular meeting with no action taken by Council and returned to executive session at 7:45 p.m.

Submitted by,

Justin M. Keller,
Interim Borough Manager