

August 13, 2018

POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, August 13, 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 Carol Kulp, Donald Lebedynsky, Trenita Lindsay, Dan Weand, Rita Paez, and Joseph Kirkland. Also present were Mayor Stephanie Henrick, Manager Justin Keller, Solicitor Charles Garner and Borough Secretary Virginia Takach. Councilor Procsal was absent.

BID OPENING – RFP’S MANAGEMENT & FINANCIAL CONSULTANTS

Mr. Keller announced the three (3) firms that submitted a proposal for the Management & Financial Consultant project for the Borough were the Novak Consulting Group, the Pennsylvania Economy League and Econsult Corporation. He advised that interviews will be scheduled for the three firms and will provide results at the next meeting.

APPROVAL OF MINUTES

a. July 5, 2018 Committee of the Whole - Motion by Councilor Kirkland, seconded by Councilor Paez to approve the July 5, 2018 Committee of the Whole meeting minutes as presented. Motion carried: 6 ayes.

b. July 9, 2018 Council Meeting – Motion by Councilor Paez, seconded by Councilor Kulp to approve the July 9, 2018 Council Meeting minutes as presented. Motion carried: 6 ayes.

COMMENTS FROM CITIZENS PRESENT

None.

SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand reported that presently the revenues stand at 76% and the expenses at 53%. He also noted that as of July 31st, the assessment changes will result in a revenue loss to the Borough for 2019 in the amount of \$68, 854, adding that when assessments go down it will result in a tax rate increase.

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COMMITTEE REPORTS

- a. PDIDA – Ms. Dugan was present and expressed condolences to the family and friends on Bill Sharon’s passing. She also commended the group that provided a recent clean-up event in the downtown. Ms. Dugan also requested Council’s support and approval of the Fête en Blanc event listed on this agenda.
- b. COG – There was no report.
- c. EAC – Mr. Derr noted that a written report is forthcoming.
- d. Regional Planning – There was no report in Councilor Procsal’ s absence.
- e. Blighted Property Review Committee – There was no report.

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. PRESENTATION – POTTSTOWN AREA REGIONAL RECREATION COORDINATOR

Craig Colistra, Pottstown Area Health & Wellness Foundation, was present and highlighted the accomplishments of the Regional Recreation Coordinator and the activities throughout the eight municipalities. He noted that East Coventry Township and New Hanover Township are not receiving the services of the Recreation Coordinator Program. Mr. Colistra reviewed the functions of the Coordinator including grant writing, marketing and event promotions.

Michael Lane, Regional Recreation Coordinator, reviewed the accomplishments completed in each of the six participating municipalities, including the regional initiative of the Tri-Ccounty trail study. He also advised that a total of \$1.9 million in grants was requested and to date, \$1.6 million has been awarded.

Mr. Colistra also reviewed the cost sharing formula for the townships for the next five years with Year 1 being \$7,202 with six townships participating and requested the Borough’s approval and consideration for renewal at the September meeting.

PUBLIC HEARING – EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

President Weand opened a public hearing at 7:30 p.m. and requested public comments regarding the Edward Byrne Memorial Justice Assistance Grant.

Mr. Keller explained that the grant would be used to purchase equipment for police vehicles and voice translators.

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Solicitor Garner added that it is a requirement of the grant to advertise and hold a public hearing.

Hearing no comments, the hearing closed at 7:33 p.m.

b. Resolution – JAG Grant - Motion by Councilor Kirkland, seconded by Councilor Kulp to adopt a Resolution authorizing a Memorandum of Understanding with the Municipality of Norristown and Cheltenham Township for the submission of a grant application for the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$15,773 to be used for police equipment to enhance Quality of Life issues and to initiate the thirty (30) day open comment period.

RESOLUTION NO. 2018-21

RESOLUTION OF POTTSTOWN BOROUGH COUNCIL

MEMORANDUM OF UNDERSTANDING FOR 2018 EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM APPLICATION

WHEREAS, the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance has approved the submission of a joint application from the Municipality of Norristown, Cheltenham Township, and Pottstown Borough for the 2018 Edward Byrne Memorial Justice Assistance Grant Funds contingent on a Memorandum of Understanding as Exhibit “A”. NOW, THEREFORE, BE IT RESOLVED by the Burgess and Town Council of the Borough of Pottstown, as follows:

1. The Borough of Pottstown hereby honors the request of the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance as outlined in the Memorandum of Understanding (MOU) for the 2018 Edward Byrne Memorial Justice Assistance Grant Application, designating the Municipality of Norristown as the applicant/fiscal agent for the allocation of the joint funds. The MOU is attached to the grant application as Exhibit “A”.

RESOLVED, ENACTED and APPROVED by the Burgess and Town Council of the Pottstown Borough this 13th day of August 2018.

Motion carried: 6 ayes.

c. Civil Service Eligibility List - Motion by Councilor Kirkland, seconded by Councilor Paez to accept the Pottstown Borough Civil Service Commission Eligibility List as certified by the Commission on June 25, 2018. Motion carried 6 ayes.

d. KEEP Specific Plan - Motion by Councilor Paez, seconded by Councilor Lindsay to authorize the Solicitor to advertise a public hearing to address the Keystone Employment & Economic Specific Plan dated May 23, 2018. Motion carried: 6 ayes.

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e. Maple Street Park - Motion by Councilor Paez, seconded by Councilor Lindsay to approve the Maple Street Park Development Plan submitted by Greater Pottstown Tennis & Learning, dated July 26, 2018, subject to compliance with Borough Staff's recommendations. Motion carried: 6 ayes.

f. Hazard Mitigation Plan - Motion by Councilor Kirkland, seconded by Councilor Kulp to adopt a Resolution accepting the Montgomery County 2017 Hazard Mitigation Plan as the official Hazard Mitigation Plan of the Borough of Pottstown.

RESOLUTION NO. 2018 - 22

Montgomery County 2017 Hazard Mitigation Plan Update Municipal Adoption

WHEREAS, the Borough of Pottstown, Montgomery County, Pennsylvania is most vulnerable to natural hazards which may result in loss of life and property, economic hardship, and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires State and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the Borough of Pottstown acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the Montgomery County 2017 Hazard Mitigation Plan has been developed by the Montgomery County Planning Commission in cooperation with other county departments, and officials and citizens of Borough of Pottstown; and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to develop the Montgomery County 2017 Hazard Mitigation Plan, and

WHEREAS, the Montgomery County 2017 Hazard Mitigation Plan recommends mitigation activities that will reduce losses to life and property affected by natural hazards that face the County and its municipal governments,

NOW THEREFORE BE IT RESOLVED by the governing body for the Borough of Pottstown:

- The Montgomery County 2017 Hazard Mitigation Plan is hereby adopted as the official Hazard Mitigation Plan of the Borough of Pottstown and
- The respective officials and agencies identified in the implementation strategy of the Montgomery County 2017 Hazard Mitigation Plan are hereby directed to implement the recommended activities assigned to them.

ADOPTED, this 13th day of August 2018.

Motion carried: 6 ayes.

g. Fee Schedule Amendment - Motion by Councilor Kirkland, seconded by Councilor Lindsay to adopt a Resolution amending the Fee Schedule to amend certain fees associated with the Finance and Public Works Departments.

Mr. Keller noted that the Police Department fee recommendations have been eliminated from the Resolution at this time.

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RESOLUTION NO. 2018-23

A RESOLUTION AMENDING THE FEE SCHEDULE OF THE BOROUGH OF POTTSTOWN TO AMEND CERTAIN FEES ASSOCIATED WITH THE FINANCE DEPARTMENT AND PUBLIC WORKS DEPARTMENT.

WHEREAS, the Burgess and Town Council of the Borough of Pottstown has adopted a comprehensive Fee Resolution July 10, 1995; and

WHEREAS, the Borough periodically reviews the Fee Schedule to determine if additions and amendments to the Fee Schedule are necessary and proper; and

WHEREAS, based upon recommendation of Borough staff, the Borough of Pottstown desires to revise and amend its comprehensive Fee Resolution.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, as follows:

SECTION 1. The following fees associated with the Borough Finance Department are hereby amended and shall provide as follows:

A. Clean and Lien – Administrative processing fee to file Municipal Liens - \$15.00

B. Returned Checks – Fees assessed for returned checks processed by Finance Department - \$30.00

SECTION 2. The fee to be charged as a fee in lieu of tree planting associated with both the Park and Rec. Department and the Subdivision and Land Development Ordinance for shade trees, open space trees, street trees and parking lot trees - \$500.00 per tree.

SECTION 3. Any and all existing fees not referenced in this Resolution shall remain unchanged and be in full force and effect.

SECTION 4. All future modifications of these fees and other fees as set forth in the comprehensive Fee Schedule shall be made by Resolution from time to time, duly adopted by the Burgess and Town Council of the Borough of Pottstown.

SECTION 5. This Resolution shall become effective immediately upon enactment.

ENACTED and RESOLVED this 13th day of August, 2018.

Motion carried: 6 ayes.

h. Mid-Year Budget Adjustments - Motion by Councilor Kirkland, seconded by Councilor Paez to approve the Mid-Year Budget Adjustments dated August 1, 2018 as recommended by the Finance Committee. Motion carried: 6 ayes.

i. Manhole Frames - Motion by Councilor Kirkland seconded by Councilor Paez to award the Manhole Frames & Lids Rehabilitation bid to TLC (Trenchless Line Co.), Bridgeport, PA as per the bid tabulation of August 7, 2018 subject to review and approval of the Borough Solicitor. Motion carried: 6 ayes.

j. Cleaning & Televising Sanitary Sewers – Motion by Councilor Kirkland, seconded by Councilor Kulp to award the Cleaning and Televising Sanitary Sewers bid to Pipe Services Corporation, West Chester, PA as per the bid tabulation of August 7, 2018, subject to review and approval of the Borough Solicitor. Motion carried: 6 ayes.

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k. Fête en Blanc - Motion by Councilor Kirkland, seconded by Councilor Lindsay to grant the request of PAID, PDIDA and Hobart's Run for the use of alcohol in Smith Family Plaza for the Fête en Blanc event on September 14, 2018, 6:00 p.m. -9:00 p.m., subject to approval of the Police and Fire Departments and compliance with the Liquor Control Board regulations. Motion carried: 6 ayes.

l. Airport Open House - Motion by Councilor Lindsay, seconded by Councilor Kulp to grant request of Fly-Elite, LLC, to hold its annual open house at the Pottstown Municipal Airport on September 15, 2018 (rain date September 16), subject to review and approval of the Police and Fire Department. Motion carried: 6 ayes.

m. Halloween Parade - Motion by Councilor Lebedynsky, seconded by Councilor Kulp to grant request of the Parks & Recreation Department to conduct the annual Halloween Parade on October 23, 2018 (rain date October 25) resulting in the closure of High Street from Madison Street to York Street from 5:30 p.m. – 9:00 p.m., subject to approval of the Police and Fire Departments, and waiving the \$100 road closure fee.

Councilor Paez questioned the waiver of the \$100 road closure fee.

President Weand explained that it would be transferring money from one Borough account to another and would not be cost effective to charge the fee to Parks and Recreation.

Motion carried: 5 ayes, 1 nay. Councilor Paez cast the negative vote.

n. Construction Code Board of Appeals - Motion by Councilor Kirkland, seconded by Councilor Kulp to reappoint Ray Lopez to the Construction Code Board of Appeals for a three (3) year term to expire August 8, 2021. Motion carried: 6 ayes.

o. EAC - Motion by Councilor Kirkland, seconded by Councilor Kulp to reappoint Katie Scanlan to the Environmental Advisory Council for a three (3) year term to expire August 10, 2021. Motion carried: 6 ayes.

p. HARB - Motion by Councilor Paez, seconded by Councilor Lindsay to ratify action of the Building Permit Officer approving a Certificate of Appropriateness for the property located at 421 King Street. Motion carried: 6 ayes.

REPORT OF BILLS

Motion by Councilor Kulp, seconded by Councilor Kirkland to pay the outstanding bills in the amount of \$2,858,592.50. Motion carried: 6 ayes.

ANNOUNCEMENTS

Councilor Kirkland suggested that the Pet Fair be renamed to the "Bill Sharon Pet Fair."

Councilor Paez reminded all of the September 22nd Latino Festival in the Riverfront Park.

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EXECUTIVE SESSION

President Weand recessed the meeting to executive session at 7:35 p.m. for an item of pending litigation with no action expected.

ADJOURNMENT

President Weand adjourned the meeting at 8:00 p.m.

Submitted by,

Justin M. Keller,
Borough Manager