

March 9, 2022

ANNOUNCEMENT

Borough Manager Keller explained the format for this evening's meeting, advising that the meeting is a public in-person and a GoTo Meeting and available on-line as well. Public comments are being accepted through email and chat until 7:15 p.m. and will be announced to all. Comments are limited to 300 words to be in compliance with Council's three-minute rule and participants shall be identified accordingly.

COMMITTEE OF THE WHOLE MEETING

The March 9, 2022 Committee of the Whole meeting was called to order at 7:00 p.m. by President Weand.

ATTENDANCE

Councilors present were Ryan Procsal, Lisa Vanni (virtual), Donald Lebedynsky, Trenita Lindsay, Dan Weand. Also present were Borough Manager Justin Keller, Mayor Stephanie Henrick (virtual), Solicitor Charles Garner (virtual) and Borough Secretary Virginia Takach. Councilors Paules and Kirkland were absent.

INVOCATION

President Weand requested a moment of silence.

President Weand congratulated Finance Director Marley Boone on the birth of her new son.

PLEDGE OF ALLEGIANCE

SUBCOMMITTEE REPORTS

- a. Infrastructure – Councilor Lebedynsky reported on the trash data for the last five months. He noted that 153 complaints were received, which averages to one per day. He added that there are 867 units that are collected, with a .37% failure rate and therefore, 99.63% of residents are having their trash picked up on a prompt basis. Councilor Lebedynsky advised that this would equate to a 4 - 5 Six Sigma Company rating, wherein the complaints are minimal.
- b. Transportation – There was no meeting.
- c. Efficient Methods Committee – Reported under Infrastructure.
- d. Ordinance Review Committee – There was no meeting.

BOARDS & COMMITTEE REPORTS

- a. Emergency Services Report – Chief Hand announced a recent tragic fire on Chestnut Street, which is still under investigation. The event was a total Borough effort, which including the Police, Fire and Emergency Management Services.

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b. Human Relations Commission – Councilor Vanni reported for Ms. Levengood and advised that March is Irish American month and the next Committee meeting is March 12th.

c. Library – Ms. Hylton introduced the new Executive Director, Mindy Lipsky, who was appointed by unanimous vote.

Ms. Lipsky commented that she looks forward to working with the Borough and the Community.

d. Ricketts Community Center – The report was in the packet.

e. Pottstown School District – Councilor Lindsay reported that the District has changed the mask mandate from mandatory to masks recommended. She also noted that the District celebrated Black History Month in February and the *Schreck* musical was a huge success.

Mayor's Report

Mayor Henrick congratulated Reporter Evan Brandt on his presentation on CBS 60-Minutes. She also reported on several meetings in which she attended included the Community Leaders' Breakfast and a meeting with Representative Joe Ciresi. She also provided a list of upcoming events through August. Mayor Henrick announced that the Police Department will be participating with Create with a Cop and Art Fusion.

MANAGER'S REPORT

Manager Keller provided an update on the High Street paving project. He advised that Allan Myers has a tentative start date of March 21st for milling and paving on East High Street from Keim Street to the Borough line. The PECO work is expected to begin April 30th from Charlotte to Price Streets and will provide updates on the website. Mr. Keller also reported that the King Street Bridge is expected to open on April 15th.

Mr. Keller advised that Staff is working on the ornamental street lighting in the 300-400 blocks of High Street with 20 new lights through a grant. He also advised that DEP approved the permits for the stormwater arch on Walnut Street. He also reported that the County will be distributing \$170 million in grants through the Recovery Act grant funding and the Borough will be submitting applications and therefore may not be able to issue letters of support for outside agencies.

PRESENTATION – POTTSTOWN AREA HEALTH & WELLNESS FOUNDATION

Craig Colistra, Program Officer for PAHWF, presented a Community Survey to gather information to be used to advocate for additional resources and ultimately improve the health of all residents. The project is in conjunction with Public Health Management Corporation. He advised that in the near future, households will receive a mailing with instructions to complete the online survey. Telephone or in-person interviews may also be conducted and all responses will remain confidential.

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AUTOMOBILE SHOW/DISPLAY – SEPTEMBER 4, 2022

Jamie Orr, Orchid Euro LLC, joined the meeting virtually to request approval to close portions of the 100-300 blocks of East High Street and the 100 blocks of North and South Hanover Streets on September 4, 2022. He noted that last year the successful event was held in North Coventry Township. Mr. Orr advised that the Coventry Mall may be under reconstruction in this coming year and is requesting to hold the event in the downtown. He expects international visitors and European vehicles.

PRESENTATION – ZONING RELIEF REQUEST, LIFT, 163 NORTH CHARLOTTE STREET

Attorney Paul Prince was again before Council to request support of a special exception hearing before the Zoning Hearing Board, scheduled for March 15th, for the property located at 163 North Charlotte Street. He advised that homelessness is not just a Pottstown problem and doing nothing solves nothing. Mr. Prince confirmed that there is no walk-ins at the Al's Heart Warming Center and there will be no walk-ins on North Charlotte Street. He noted that participants will be transported in two vans. He also praised all who attended the recent event honoring Pottstown Lift and the numerous volunteers. Mr. Prince explained that, to assure the participants are from Pottstown, a Social Security Card, Driver License, Pennsylvania Identification Card or Welfare Identification Card will be required to receive services. He again confirmed that taxes will be paid by LIFT on this property and advised that the organization does not want to be considered as indifferent as the other "P" currently in the news.

Councilor Lebedynsky objected to the comparison to Putin.

Discussion followed regarding the locations and residency of Lift's Board members, the definition of Adult Daycare, the number of beds on location, the close proximity of a children's daycare, the relationship with other non-profit entities and the comparison of Phoenixville's downtown.

Mr. Prince reviewed the definition of Adult Daycare, the support from the Cluster, Pottstown Hospital and dental agencies and noted that certain funds for Phoenixville are provided by Chester County. He added that Paul Desch is offering the property at no cost to LIFT and whatever is required to comply with inspections, will be done. He also explained the office use proposed for the third floor.

President Weand advised that through the Pottstown Regional Plan, a homeless shelter is permitted in North Coventry Township.

Solicitor Garner confirmed that this is a decision for the Zoning Hearing Board.

Mayor Henrick commented that she fully supports the zoning relief being requested. She added that LIFT has agreed to pay property taxes. If a church were to go in, it would be exempt.

Tom Niarhos, Executive Director, commented that the Police usually call him if they find a homeless person and therefore they have an appointment. He also advised that as a member of the Task Force, the last three meetings were rescheduled and there is no new date. Mr. Niarhos added that active warrants are checked.

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Councilor Paules commented that these are human beings and Pottstonians and should look at this situation as Christians. He added that if a business fails in the downtown, it is because they failed or they gave up not because someone is standing on the corner.

Solicitor Garner reiterated that Council's position is either to take no position and allow it to proceed to the Zoning Hearing Board, can oppose or support, and can be listed for Monday evening. He added that Council may also recommend that conditions may be added and forward to the Zoning Hearing Board if the Board decides to grant relief. Solicitor Garner noted that this may be discussed further in Executive Session.

President Weand advised that this will be listed for action on Monday's agenda.

RESOLUTION – DCNR C2P2 GRANT APPLICATION
RESOLUTION – 2022 LOCAL SHARE ACCOUNT
2022 FLOOD MITIGATION PROGRAM

Mr. Keller explained the request to submit a DCNR grant for the Chestnut Street Park and South Street Park in the amount of \$86,000. He also advised that a grant will be requested from the Local Share Account in the amount of \$1,000,000 for street lights and cameras. Mr. Keller noted that the request to the Flood Mitigation Program in the amount of \$500,000 will be used for the stormwater arch at 1200 High Street.

MONTGOMERY COUNTY CDBG APPLICATION – STORMWATER IMPROVEMENTS
PHASE II PROJECT

Mr. Keller explained that the second phase will be to continue installation of inlets and piping at Nightingale, Charlotte and Warren Streets area in the amount of \$200,000.

President Weand noted that the Resolutions and requests would be listed for approval on Monday's agenda.

PROPERTY MAINTENANCE CODE AMENDMENT

Solicitor Garner advised that every three years, the ICC updates the standard building codes. It has been sometime since the Borough has updated its property maintenance code and the International Fire Code. He added that these are not part of the Statewide Building Code and therefore still operating under the 2009 editions. He requested authorization to prepare and advertise the updates and requirements under the 2018 edition of the International Code Council.

President Weand advised that this will be listed for approval on Monday evening.

TAKE IT OUTDOORS/PARKS & RECREATION AGREEMENT

Solicitor Garner referred to the draft agreement of the Take it Outdoors entity to use a portion of Riverfront Park for canoe and kayak rental operations and requested Council's review and approval of the one-year Agreement.

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RED HORSE MOTORING CLUB
MEMORIAL DAY PARADE
AUTOMOBILE SHOW/DISPLAY
FETE EN BLANC

Mr. Keller reviewed several street closure requests, distributed in the packets, for upcoming events and the various dates throughout the summer. He requested Council's consideration, subject to review and approval of the Police and Fire Departments.

These will be listed on the regular agenda.

BID AWARD – ULTRA LOW SULFUR DIESEL FOR BUSES

Mr. Keller advised that the bids would open on March 14th and will have a recommendation for Monday evening.

BOARD VACANCIES

President Weand reviewed the vacancies on the Civil Service Commission and the HARB Board.

HARB

Mr. Keller reviewed the request for a Certificates of Appropriateness as recommended by HARB:

- a. 944 East High Street – to replace front porch columns and decking
(ADMINISTRATIVE APPROVED:)
- b. 259 Beech Street – to replace existing roof materials
- c. 1290 East High Street – to replace existing roof materials
- d. 1031 East High Street – to replace existing roof materials
- e. 990 East high Street – to replace existing roof materials

These will be listed for approval on the regular agenda.

COMMENTS FROM CITIZENS PRESENT

a. Julian Francis, 249 Chestnut Street – spoke in opposition of the proposed zoning request for LIFT, as he constantly picks up trash in the area of the Al's Heart Warming Center. He also expressed a concern regarding the unsanitary condition of Rowan Alley.

b. Vernon Ross, 575 North Keim Street – spoke as the President of the Pottstown Ministerium of Faith Communities and Pastor of Bethel Community Church. He noted that at today's meeting of the Ministerium, there was much confusion on what is proposed at the location of 163 North Charlotte Street. He praised the efforts of LIFT on these issues and is aware of the homeless situation and wishes to be a partner and collaborate with the community to house the homeless in Pottstown.

c. Amy Francis, 249 Chestnut Street – commented that it is important to find housing for the

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homeless in the Borough. She expressed a concern regarding the statement that LIFT, a non-profit entity, will be able to pay taxes on the property. She also noted that the property is in the historic district and objected to Councilor Paules' comments regarding Christians.

d. Steve Everett, 211 East High Street – spoke as a multiple business owner in Pottstown since 2017. He commented that LIFT's proposal is inconsistent with its application and the use. He noted that this is not the right location for this purpose.

e. April Barkasi, 159 East High Street – requested Council's consideration to oppose the application of LIFT. She added that the definition of Adult Daycare is not what is being proposed and that she is a Christian and wants to help the homeless.

f. Terry Fetterman, 62 North Hanover Street – stated as a homeowner and a business owner in the Borough. He stated that as a Christian, he is opposed to a facility at this location, but supports the efforts.

g. Tom Niarhos, 846 East High Street – commented on the concerns regarding the location. He added that regardless of the location, the neighbors will be here to complain. He also explained the proposal of LIFT for the property at 163 North Charlotte Street and the positions of staff members and volunteers.

h. Kristen Sirbak, 322 East High Street – spoke as the proprietor of Beverly's Bakery since 2014. She noted that since then, there is additional unfamiliar homeless people in the downtown. She added that there are people living in the back of her business.

i. Curt Hatfield, 159 East High Street – spoke as a business owner on High Street and a property owner on North Hanover Street and spoke against the location of the proposed center. He advised that new businesses will not come in if this application is approved.

j. Deborah Spence, South Roland Street – questioned if the Borough has an up-to-date Comprehensive Plan and the Metropolitan Comprehensive Plan.

Mr. Keller commented that he will respond to Ms. Spence.

k. Ron Williams, 245 Walnut Street - noted that the PowWow event is April 30th and May 1st. He also questioned how and when trees were removed from the Burial Site Memorial on South Franklin and Industrial Highway. He also requested that Council takes consideration on the homeless situation in the Borough.

EXECUTIVE SESSION

President Weand recessed the meeting to Executive Session at 9:15 p.m. for a litigation matter.

ADJOURNMENT

President Weand adjourned the meeting at 10:00 p.m.