

April 10, 2023

## POTTSTOWN BOROUGH COUNCIL

### ANNOUNCEMENT

Borough Manager Keller explained the format for this evening's meeting, advising that the meeting is a GoTo Virtual Meeting and an in-person meeting. All persons wishing to speak during Public Comment, whether participating by GoToMeeting or telephone, must submit their name and address through chat or email at [administration@pottstown.org](mailto:administration@pottstown.org). Requests to speak will be accepted until 7:05p.m., at which time chat will be closed, and no further requests for comment will be honored. As always, Public Comment will be limited to three minutes per person.

### CALL TO ORDER

The regular meeting of the Pottstown Borough Council was called to order on Monday, April 10, 2023 at 7:03 p.m. as a hybrid, in-person and Go-To Meeting, with President Weand in the Chair.

### INVOCATION

President Weand requested a moment of silence.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

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

### APPROVAL OF MINUTES

Motion by Councilor Lebedynsky, seconded by Councilor Vanni to approve the minutes of the March 13, 2023 Council meeting as presented. Motion carried: 6 ayes.

### SUBCOMITTEE REPORTS

a. Finance & Administration – President Weand reported that at 16% of the year, revenues received are at 11% and expenses are at 14%. He added that the Borough audit is near completion. The total year assessment change is \$20,074, 350. President Weand advised that properties sold over \$150,000 are reviewed with the School District. There is a new LERTA application for 80 Robinson Street for Medicare Education Services.

### COMMITTEE REPORTS

a. EAC – There was no report.

April 10, 2023

b. Regional Planning – Councilor Procsal advised that a discussion took place regarding Borough ordinance.

c. Blighted Property Review Committee – Ms. Sanchez provided a handout with an updated blighted property list. There is a bus tour scheduled for the May meeting and there will be no April meeting. She is also reviewing the tax lien properties. Ms. Sanchez also questioned the ability to submit grants for blighted properties and awaiting information from Representative Ciresi’s office regarding a grant.

#### COMMENTS FROM CITIZENS PRESENT

a. Jamie Sanchez, 200 Maplewood Drive, #64 – requested to be reappointed to the Land Bank Board.

b. Kyle Weaver, 556 King Street – commented on the upcoming trash meeting scheduled for April 11<sup>th</sup> and hoped for a productive meeting. He said that he has seen some improvements in his area as he has collected approximately 15 bags of trash in the neighboring blocks, noting that the trash comes from a mix of sources, such as being thrown out of cars or dropped on the street. He also urged businesses to clean up their frontages or possibly be given warning notices.

c. Ginette Beetem, 611 North Hanover Street – expressed a concern regarding the property of the former Frederick Lumber Yard at East and Hanover Streets. She has suggested a community garden to address issues on that property. She also commented on the condition at 203 East Street that has no water and excessive equipment, tires and trash and questioned how Randy Smith is allowed to live there with no bathroom facilities. Ms. Beetem also questioned the lead line replacement project in the area of North Hanover and Willow Streets.

#### 7:15 P.M. – PUBLIC HEARING – ZONING ORDINANCE AMENDMENT

Solicitor Garner opened a public hearing at 7:15 p.m. to take public comment on a zoning ordinance amendment as required. He provided the legal requirements that have been met. Solicitor Garner reviewed the seven sections of the ordinance and outlined the definitions and conditions. He added that the Ordinance Review Committee has worked on this matter for approximately six months.

President Weand advised that there were no public comments and the public hearing closed at 7:20 p.m.

#### UNFINISHED BUSINESS

#### NEW BUSINESS

a. Radiological Emergency Plan - Motion by Councilor Lebedynsky, seconded by Councilor Monastra to adopt a Resolution approving the current Radiological Emergency Response Plan for the Borough of Pottstown.

April 10, 2023

RESOLUTION NO. 2023-9

THIS RESOLUTION approved and adopted by the elected officials of the Borough of Pottstown, Montgomery County, Pennsylvania, on the date hereinafter set forth.

WITNESS TO:

WHEREAS, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A. Section 7101 et seq. mandates that municipalities prepare, maintain and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within this municipality; and

WHEREAS, in response to the mandate stated above, the Borough of Pottstown has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster; and

WHEREAS, the Borough of Pottstown has also prepared an emergency operations plan in order to reduce the potential effects of a major emergency or disaster and to protect the health, safety and welfare of the residents of this municipality.

NOW, THEREFORE, we the undersigned elected officials of the Borough of Pottstown do hereby approve, adopt and place into immediate effect the Emergency Operations Plan of the Borough of Pottstown. This Plan shall be reviewed to make certain that it conforms to the requirements of the Montgomery County Emergency Operations Guideline.

ENACTED AND RESOLVED, this 10th day of April 2023

Motion carried: 6 ayes.

b. Street Paving 2023 – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to approve the 2023 Street Paving Plan as presented on April 5, 2023 and authorize Staff to place out for bid. Motion carried: 6 ayes.

c. Ordinance - Hookah Bars – Motion by Councilor Procsal, seconded by Council Lebedynsky to adopt an Ordinance amending the Zoning Ordinance to create certain additional definitions and to provide for Tobacco Stores, Smokeshops and Hookah Bars by special exception in certain zoning districts.

ORDINANCE NO. 2226

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING VARIOUS SECTIONS OF THE POTTSTOWN BOROUGH ZONING ORDINANCE A/K/A CHAPTER 27, ZONING OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN TO CREATE CERTAIN ADDITIONAL DEFINITIONS AND TO PROVIDE FOR TOBACCO STORES, SMOKESHOPS, AND HOOKAH BARS BY SPECIAL EXCEPTION IN CERTAIN ZONING DISTRICTS.

Councilor Monastra questioned the permission of having Smokeshops and Hookah Bars and what is the benefit to the Borough for allowing these.

April 10, 2023

Solicitor Garner responded that this is a different type of use never provided for or contemplated in the Zoning Ordinance. This is a recommendation of the Ordinance Review Committee to establish specific definitions as a sub-category of a retail store. He added that it is better to provide for them in a district rather than omit them.

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

d. CDBG Grant - Motion by Councilor Vanni, seconded by Councilor Procsal to authorize submission of a CDBG Grant in the amount of \$200,000 for Stormwater Inlets with locations to be determined. Motion carried: 6 ayes.

e. Pursel – 1 West Fifth Street – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to authorize the Solicitor to send a letter of support to the Zoning Hearing Board on the request for zoning relief from David Pursel for the property located at 1 West Fifth Street. Motion carried: 6 ayes.

f. Wisn, Intren, 225 South Price Street - Possible action on the request for zoning relief from Shawn Wisn, Intren LLC, for the property located at 225 South Price Street

Councilor Monastra recommended that this matter go directly to the Zoning Hearing Board and no action be taken by Council.

g. Colebrookdale Agreement/Walkway – Motion by Procsal, seconded by Councilor Vanni to approve and authorize execution of the Reimbursement and Maintenance Agreement between the Borough of Pottstown and the Colebrookdale Railroad Trust for the construction of a walkway in Memorial Park. Motion carried: 6 ayes.

h. Schuylkill River Greenways – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of Schuylkill River Greenways to allow alcohol in Riverfront Park for its May 20, 2023, Paddling Film Festival, from 7:30 p.m. - 10:00 p.m. and for the June 20, 2023, Schuylkill River Sojourn from 5:00 p.m. - 8:30 p.m., subject to approval of the Parks & Recreation Department and compliance will all Liquor Control Board regulations. Motion carried: 6 ayes.

i. Play Street - Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of the Parks and Recreation Department to hold its Pottstown Play Streets – Community Outreach Program, resulting in the closure of various streets from 5:30 p.m. – 7:30 p.m. on June 15, 22, & 29, July 13, 20, & 27 and August 10, 2023, subject to review and approval of the Police and Fire Departments. Motion carried: 6 ayes.

j. HARB – Motion by Councilor Procsal, seconded by Councilor Vanni to reappoint Mark Harvey to the Historic Architectural Review Board for a five (5) year term to expire April 1, 2028. Motion carried: 6 ayes.

k. Land Bank – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to reappoint Deb Penrod to the Land Bank Board for a three (3) year term to expire April 9, 2026. Motion carried: 6 ayes.

April 10, 2023

1. Land Bank – Motion by Councilor Lebedynsky, seconded by Councilor Monastra to reappoint Jamie Sanchez to the Land Bank Board for a three (3) year term to expire April 9, 2026.

Councilor Vanni commented that she would agree to reappoint Jamie Sanchez as she filled a vacant term and should have the opportunity to fill a full-term. She urged the other applicants to review vacancies on the website and possibly attend a Land Bank meeting.

Motion carried: 6 ayes.

REPORT OF BILLS - Motion by Councilor Procsal, seconded by Councilor Vanni to pay the outstanding bills in the amount of \$2,041,407.32. Motion carried: 6 ayes.

#### ANNOUNCEMENTS

Councilor Monastra reminded all of the Arts Festival and Edgewood Cemetery Clean up scheduled for April 29<sup>th</sup>, 10:00 a.m. - 3:00 p.m. He urged all to bring gloves and weedwhackers if possible. He also noted that historical tours of the Cemetery are forthcoming.

Councilor Vanni thanked Mayor Henrick for attending the Easter festivities at Riverfront Park.

Councilor Procsal noted he could bring a chainsaw to the Edgewood Clean-up.

Mayor Henrick also announced the Montgomery County Clean up scheduled for April 15<sup>th</sup>, 11:00 a.m. – 3:00 p.m.

#### ADJOURNMENT

President Weand adjourned the meeting at 7:40 p.m.

Submitted by,

Justin M. Keller  
Borough Manager

April 10, 2023