

July 11, 2022

## 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, July 11, 2022 at 7:00 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, Trenita Lindsay and Dan Weand.. Also present were Manager Justin Keller, Solicitor Charles Garner (virtual), Mayor Stephanie Henrick and Borough Secretary Virginia Takach. Councilors Michael Paules and Joseph Kirkland were absent.

### APPROVAL OF MINUTES

a. Committee of the Whole - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to approve the minutes of the June 8, 2022 Committee of the Whole meeting as presented. Motion carried: 5 ayes.

b. Council Meeting – Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to approve the minutes of the June 13, 2022 Council meeting. Motion carried: 5 ayes.

### SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand advised the real estate taxes are at 89% collected and local taxes at 58%. He added that there were no assessment changes and the Borough continues to review under-assessed properties with the School District. Portnoff collections continue. There were no new LERTA applications and President Weand advised that the Moser Road Bridge project is listed on the agenda.

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### COMMITTEE REPORTS

- a. EAC – There was no report.
- b. Regional Planning – Councilor Procsal advised that a discussion centered on the Douglass Township hospital project and there was a report from Patricia McCloskey on the Memorial Park bridge.
- c. Blighted Property Review Committee – Councilor Procsal noted that there was bus tour and the committee will address certain properties on Hanover Steet.

### COMMENTS FROM CITIZENS PRESENT

- a. Dave Douglass, Trappe, PA – expressed outrage regarding the Borough's action on citing the Churches for feeding the needy and homeless. He suggested that the Borough admit to making a mistake and rescind this action.
- b. Mike Ammouri, 1000 North Evans Street – suggested that the Borough reduce taxes for homeowners in order for them to pay for sidewalk repairs. He noted the 2 years ago, his mother had a broken jaw and hip from damaged sidewalks. He also noted that the sidewalks are buckled due to the tree routes.
- c. Reverend Louis Steffenhagen, 536 Willow Street – spoke as a resident of Pottstown for 44 years and expressed a concern regarding the citations issued to the Churches. He quoted the rules and mission of Christ Episcopal Church. He noted that the Borough is asking for the Church to give up its commandments to fit the Borough rules and it will not happen. He appealed to the Borough to openly and publicly rescind the citations and stop the embarrassment to Pottstown. Reverend Steffenhagen also noted reasons why people don't want to live in Pottstown, such as drugs and high taxes, but he never heard anyone say they didn't want to live in Pottstown because they saw someone feeding the needy.
- d. Daniel Vicente, 122 East High Street - spoke as the Recording Secretary for the United Auto Workers Union 644 representing Dana, US Axle and Limerick Marine Manufacturing, wherein many members reside in Pottstown. He a read a letter from UAW to Council in opposition to the zoning citations issued to the Churches. The UAW requested that Council rectify this mistake and allow the Churches to continue their mission or the UAW 644 will remedy the situation at the ballot box in November.
- e. Emanuel Wilkerson, 519 Lincoln Avenue – spoke on behalf of NAACP President, Jonathan Corson, stating that the NAACP supports the Churches and stands in solidarity with their mission.
- f. Kris Keller, 237 Beech Street – Executive Director Orion Communities, Phoenixville – stating that she works with 1,100 needy families each year and 200-300 families from Pottstown. She added that Phoenixville supports a winter-night shelter from November to April and the churches' mission statement is to help the poor and this letter needs to be rescinded.

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UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Presentation – Ward Wars Cleanup Competition

Twila Fisher, Executive Director of Hobart’s Run and Cathy Skitko, Hobart’s Run Communications were present to introduce the Clean-up event throughout the Borough to include residents and be overseen by each Ward Councilor for a friendly competition. Ms. Fisher acknowledged that the Ward Wars program was initiated by Mayor Henrick. The event is tentatively scheduled for September 24<sup>th</sup>, 10:00 a.m., with a lunch and trophy presentation following at Riverfront Park.

Cathy Skitko also explained that each ward is welcome to wear Ward T-shirts with their Ward colors. She also requested that the Borough participate in donating trash bags and trash collection.

Ms. Fisher asked for recommendations on the Ward Wars logo and noted that President Weand agreed that he would participate with the majority and she is awaiting participation from Councilors Lebedynsky, Paules and Kirkland.

b. Hess Lot - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to authorize execution of the Cooperation Agreement between the Borough of Pottstown and Pottstown Area Economic Development (PAED) for the purpose of developing the property located at 191-193 South Hanover Street, known as the Hess Lot. Motion carried: 5 ayes.

c. Hess Lot - Motion by Councilor Vanni, seconded by Councilor Procsal to authorize Pottstown Area Economic Development (PAED) to advertise Request for Proposals for development of the property located at 191-193 South Hanover Street, known as the Hess Lot. Motion carried: 5 ayes.

d. PARRC - Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to adopt a Resolution authorizing the Pottstown Area Regional Recreation Committee to create a non-profit organization.

RESOLUTION NO. 2022-14

A RESOLUTION AUTHORIZING THE POTTSTOWN AREA REGIONAL RECREATION COMMITTEE TO CREATE A NON-PROFIT ORGANIZATION

WHEREAS, the municipality of the Borough of Pottstown is a member of the Pottstown Area Regional Recreation Committee (“PARRC”); and,  
WHEREAS, pursuant to a memorandum prepared by PARRC and dated May 26th, 2022 PARRC wishes to continue to strengthen its financial sustainability through the ability to directly accept private donations and apply for grants as an organization, and,

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WHEREAS, PARRC has researched the formation of a non-profit organization with 501(c)3 status as a supporting organization to PARRC as a method to supplement funding provided by the municipalities as defined in the PARRC Intergovernmental Agreement, and recognizes the responsibilities associated with formation of a non-profit organization, including formation of a Board of Directors and the need to file a yearly IRS Form 990 “Return of Organization Exempt From Income Tax”; and,

WHEREAS, PARRC has sought the approval of the individual member municipalities of PARRC to create a supporting nonprofit organization;

NOW THEREFORE, the municipality of the Borough of Pottstown does hereby approve of PARRC to form a supporting nonprofit organization in order to assist with the future financial sustainability of PARRC.

Duly presented and adopted by the Governing Body of the Borough of Pottstown in a public meeting held this 11th day of July 2022.

Motion carried: 5 ayes.

e. Moser Road Bridge Grant - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to adopt a Resolution authorizing the submission of a grant application for the 2022 round of the County Transportation program in the amount of \$448,750 to match the local funding commitment for the Moser Road Bridge project.

#### RESOLUTION NO. 2022-15

#### RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE 2022 ROUND OF THE COUNTY TRANSPORTATION PROGRAM

Whereas, Montgomery County has established the County Transportation Program as a competitive funding program to assist municipalities with improving transportation infrastructure throughout the county; and

Whereas, the County is accepting grant applications to fund transportation projects that meet the eligibility requirements for County Fee for Local Use funds, including construction and repair of public roads and bridges acquisition and maintenance of traffic signs and signals, lane and crosswalk painting and marking, and curb ramps; and

Whereas, the Borough of Pottstown wishes to obtain \$448,750 from the 2022 County Transportation Program to match the local funding commitment for the Moser Road Bridge Project; and

Whereas, the Moser Road Bridge is an important transportation link within the Borough of Pottstown; and

Whereas, the Moser Road Bridge is in need of rehabilitation, including but not limited to, rehabbing the steel sliding plate bearings at the abutments, replacing the far abutment plate dam expansion joint, and repairing spalls in the concrete deck.

ENACTED AND RESOLVED, this 11<sup>th</sup> day of July 2022.

Motion carried: 5 ayes.

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f. Tellisvision - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to authorize the Solicitor to prepare an Addendum to the Agreement between the Borough of Pottstown and Tellisvision, LLC for the operation of the Borough's three (3) local channels. Motion carried: 5 ayes.

g. Panera Bread Zoning – Motion by Councilor Lindsay, seconded by Councilor Procsal to authorize the Solicitor to send a letter of support to the Zoning Hearing Board on the zoning relief request of the Panera Bread project, 204 Shoemaker Road.

Solicitor Garner reviewed the zoning relief request to permit three additional directional signs and larger than which the ordinance permits.

Councilor Vanni noted that this is her Ward and would suggest allowing the Zoning Hearing Board to make the determination but would agree to a letter of support.

Motion carried: 5 ayes.

h. Pottstown MDP (Car Wash) – Possible action on the zoning relief request of Pottstown MDP, Inc. (Car Wash), 150 Shoemaker Road.

Councilor Vanni commented that the sign was slightly confusing as the sign states, “Free Vacuums” and she interpreted it to mean they were giving away free vacuums. She requested this matter be forwarded directly to the Zoning Hearing Board with no action by Council.

i. Inthaphone, 431 Johnson Street - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to approve and authorize execution of a Release and Hold Harmless Agreement between Thongchanh and Khamphouk Inthaphone and the Borough of Pottstown to allow the construction of a fence on the property located at 431 Johnson Street, encroaching the Borough's right-of-way. Motion carried: 5 ayes.

j. Joule 4 Jesus Block Party - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to grant the request of Joule 4 Jesus Ministry, Inc., to hold a community block party and close portions of Beech, North Adams and Grant Streets on August 14, 2022 from 12:00 p.m.- 7:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 5 ayes.

k. Johnson, Belmont Street Block Party - Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of Luke and Laura Johnson to hold a block party and close Belmont Street between 8th Street and Reynolds Avenue on August 20, 2022 (rain date August 27th) between 4:00 p.m. – 9:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 5 ayes.

l. Memorial Park Field #3 (Rhoads) - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to rename Memorial Park Field #3 in memory of Ronald V. Rhoads and accept a donation in the amount of \$1,000 upon approval in honor of the dedication. Motion carried: 5 ayes.

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m. Civil Service Commission - Motion by Councilor Procsal, seconded by Councilor Vanni to reappoint Vincent Artis to the Civil Service Commission for a six (6) - year term to expire July 22, 2028. Motion carried: 5 ayes.

n. Code Board of Appeals – Motion by Councilor Lebedynsky, seconded by Councilor Vanni to reappoint Joseph Chrisman to the Construction Code Board of Appeals for a three (3) – year term to expire August 8, 2025. Motion carried: 5 ayes.

o. President Weand announced the appointment of Phil Ventnor to the Infrastructure Committee.

Councilor Lebedynsky welcomed Mr. Vontor to the Committee.

p. HARB - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to approve Certificates of Appropriateness for the following properties as recommended by HARB:

- i. 800 High Street
- ii. 701-703 High Street

Motion carried: 5 ayes.

q. HARB - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to ratify action of the Building Permit Officer approving Certificates of Appropriateness for the following properties:

- i. 240 Chestnut Street
- ii. 448 East High Street

Motion carried: 5 ayes.

REPORT OF BILLS – Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to pay the outstanding bills in the amount of \$2,293,217.46. Motion carried: 5 ayes.

### ANNOUNCEMENTS

Councilor Vanni commented that she knows there may be issues with the Churches but she stands with the Churches.

Councilor Lebedynsky noted that the Ward Wars Clean-up day may conflict with the scheduled Veterans' Community Day on September 24<sup>th</sup>.

Councilor Lindsay agreed with Councilor Vanni in standing with the Churches. She also reminded all of her block party scheduled for August 6<sup>th</sup>.

Mayor Henrick also commented that she received many calls and emails regarding the Churches and advised that many of the individuals are from the senior high rise apartments and need help to make ends meet and she stands behind the Churches and the community.

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ADJOURNMENT

President Weand adjourned the meeting at 7:45 p.m.

Submitted by,

Justin M. Keller, Borough Manager