

August 14, 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. 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, August 14, 2023 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, Dan Weand, Andrew Monastra and Joseph Kirkland. Also present were Mayor Stephanie Henrick, Manager Justin Keller, Assistant Solicitor Matthew Hovey. Borough Secretary Virginia Takach was absent.

APPROVAL OF MINUTES

Motion by Councilor Monastra, seconded by Councilor Lindsay to approve the minutes of the July 10, 2023 Council meeting as presented. Motion carried: 7 ayes.

SUBCOMITTEE REPORTS

a. Finance & Administration – President Weand reported that at 50% of the year, the General Fund revenues are at 76% and expenses at 41%. The Borough Audit is complete with no findings. President Weand added that the General Fund revenue is up by \$1,245,351 and assessed properties continue to be reviewed. He added that budget adjustments within line-items were approved. There were no new LERTA applications.

COMMITTEE REPORTS

- a. EAC – There was no meeting.
- b. Regional Planning – There was no meeting.

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c. Blighted Property Review Committee – Councilor Procsal advised that the properties on the blighted list were reviewed. He also noted that Jamie Sanchez will be resigning from the Committee.

d. Pottstown School District – Councilor Lindsay reported on the first time rebate to tax payers in the Borough in the approximate amount of \$88.79. This will be revisited next year as well. She thanked Superintendent Stephen Rodriguez and Representative Joe Ciresi for their efforts in the school funding matters. Councilor Lindsay will have a follow-up report for next month.

COMMENTS FROM CITIZENS PRESENT

a. Eugene Dugan, 71 North Hanover Street – expressed a concern that the art work left from the recent FARM event in Smith Family Plaza was discarded. He also complained about the people bathing in the fountain in the Park and noted that there needs to be more communication and cooperation in these events.

Mr. Keller advised that the rocks and snake art work was discarded because it could be a danger for other users and possible destructive uses. No one claimed the art work and it was discarded. He added that Staff will attempt to find a more suitable location.

b. Barry Beasley, 338 Jefferson Avenue - thanked Staff for the updated Codes/Infrastructure report as requested. He also questioned the Borough's plan for littering and the fund allocations attributed to the Assistant Borough Manager position.

NEW BUSINESS

a. Sidewalk Ordinance Amendment - Motion Councilor Procsal, seconded by Councilor Monastra to authorize the Solicitor to prepare and advertise an ordinance amendment to §214, Obstructions, of Part 2, Sidewalks of Chapter 21, Streets and Sidewalks, as recommended by the Ordinance Review Committee. Motion carried: 7 ayes.

b. HERA Property Registry – Motion by Councilor Procsal, seconded by Councilor Vanni to approve and authorize execution of a Professional Services Agreement between HERA Property Registry, LLC, Melbourne, Florida, and the Borough of Pottstown to provide property registration services pursuant to Borough Ordinance. Motion carried: 7 ayes.

c. Budget Adjustments - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to approve the Mid-Year Budget Adjustments dated August 4, 2023 and as recommended by the Finance Committee. Motion carried: 7 ayes.

d. Tuscany Girls, 1301 Glasgow Street - Motion by Councilor Monastra, seconded by Councilor Kirkland to grant the request Tuscany Girls, for waivers of the Subdivision and Land Development Ordinance for property located at 1301 Glasgow Street, as per the Cedarville Engineering Letter of December 20, 2022 and Madaras Consulting LLC letter of July 10, 2023:

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- i. Section 22-A404.18 – Final landscape plan showing location, number, size and species of all trees
- ii. Section 22-503.1 Total number of trees required
- iii. Section 22-503.3 – Shade tree requirements: species and location
- iv. Section 22-504 – Open Space tree requirements
- v. Section 22-505.1 – Requirement of shade trees along street frontage
- vi. Section 22-508.1 – Requirement for design and quantity of parking lot trees

Solicitor Hovey noted that the Land Development process was previously waived and these are standard waiver requests as recommended by the Engineer. He added that the fee in lieu of trees is \$500 per tree.

Motion carried: 7 ayes.

e. Possible action related to Zoning Hearing Board Application No. 12-2023, the application of Heather Zaborsky which concerns the property located at 976 Park Drive and seeks a variance from Section 507.6 of the Zoning Ordinance

Solicitor Hovey explained the options for Council on the Zoning Relief requests. No 12 and No 13 are related to outside structures.

There was no action taken on this request and will be forwarded to the Zoning Hearing Board for resolution.

f. Possible action related to Zoning Hearing Board Application No. 13-2023, the application of Christopher L. Mill and Georgeen Jacob which concerns the property located at 599 West High Steet and seeks a variance from Section 507.6 of the Zoning Ordinance

There was no action taken on this request and will be forwarded to the Zoning Hearing Board for resolution.

g. Possible action related to Zoning Hearing Board Application No 14-2023, the application of John Jones and 215 South Washington Street LLC, which concerns the property located at 215 South Washington Street and appeals the Zoning Officer's permit denial and, in the alternative seeks a variance from Section 336.2 of the Zoning Ordinance

Solicitor Hovey explained that the Zoning Officer has now determined that the applicant's request has been modified and the outside structure and fence are now compliant. The applicant is appealing to the Zoning Officer's determination of the project being medium or heavy manufacturing.

Councilor Vanni moved to authorize the Solicitor to send a letter of opposition to the Zoning Hearing Board. Councilor Lebedynsky seconded the motion.

President Weand requested a roll-call vote.

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Kirkland	no	Procsal	no
Lebedynsky	yes	Vanni	yes
Lindsay	no	Weand	yes
Monastra	no		

Moton denied: 4 nays, 3 ayes.

h. Water Trench Bid - Motion by Councilor Lebedynsky, seconded by Councilor Monastra to award the Water Trench Street Restoration project to Lawrence Site, Gilbertsville, PA, as per the bid tabulation of August 4, 2023, subject to review and approval of the Solicitor and Public Works Director. Motion carried: 7 ayes.

i. Street Line Painting Bid - Motion by Councilor Procsal, seconded by Councilor Kirkland to award the Street Painting: Center and Edge of Road project to Midlantic Markings, Gaithersburg, MD, as per the bid tabulation of August 4, 2023, subject to review and approval of the Solicitor and Public Works Director. Motion carried: 7 ayes.

j. Street Painting Crosswalks - Motion by Councilor Vanni, seconded by Councilor Lindsay to award the Street Painting: Crosswalks, etc. project to Midlantic Markings, Gaithersburg, MD, for Options 1 and 2, as per the bid tabulation of August 4, 2023, subject to review and approval of the Solicitor and Public Works Director. Motion carried: 7 ayes.

k. Reject Line Paint bids - Motion by Councilor Procsal, seconded by Councilor Monastra to reject the Line Paint bids as per the bid tabulation of August 4, 2023, subject to review and approval of the Solicitor and Public Works Director. Motion carried: 7 ayes.

l. Rebid Airport Fuel – Motion by Councilor Lindsay, seconded by Councilor Vanni to authorize Staff to rebid the Airport Aviation Fuel bid, as per the bid tabulation of August 4, 2023, subject to review and approval of the Solicitor and Public Works Director. Motion carried: 7 ayes.

m. HARB - Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to approve a Certificate of Appropriateness for the property located at 307 King Street, as recommended by HARB. Motion carried: 7 ayes.

n. HARB - Motion by Councilor Vanni, seconded by Councilor Monastra to ratify action of the Building Permit Officer approving Certificates of Appropriateness for the following properties:

- i. 61 North Franklin Street
- ii. 863 High Street
- iii. 253 Walnut Street
- iv. 117 North Charlotte Street

Motion carried: 7 ayes.

o. Construction Code - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to reappoint Anthony Campbell to the Construction Code Board of Appeals for a three (3)-year term to expire August 8, 2026. Motion carried: 7 ayes.

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p. EAC- Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to reappoint Jim Derr to the Environmental Advisory Council for a three (3) year term to expire August 10, 2026. Motion carried: 7 ayes.

q. Human Relations Commission - Motion by Councilor Procsal, seconded by Councilor Lindsay to appoint Tammy Vontor to the Human Relations Commission to fill a vacant term to expire March 21, 2025.

Councilor Vanni suggested appointing a newer individual to the Committee, possibly Eva Porter, as there may be other opportunities for Ms. Vontor.

President Weand requested a roll-call vote.

Kirkland –	no	Procsal	yes
Lebedynsky –	yes	Vanni	no
Lindsay -	yes	Weand	yes
Monastra -	yes		

Motion carried: 5 ayes, 2 nays.

r. President’s Appointment to Public Safety Committee – President Weand announced the reorganization of the Public Safety Committee and appointed the following members:

Councilor Procsal, Councilor Lindsay, Mayor Henrick, Police Chief of Designee, Fire Chief or Designee, Director of Licensing & Inspections or Designee.

President Weand noted that the Solicitor and Borough Secretary will assure the meeting dates are properly advertised.

REPORT OF BILLS – Motion by Councilor Kirkland, seconded by Councilor Procsal to pay the outstanding bills in the amount of \$1,409,962.94. Motion carried: 7 ayes.

ANNOUNCEMENTS

Councilor Vanni reported that she is scanning her ward for unkept properties and reporting these to Licensing & Inspections.

Councilor Monastra thanked all for attending the meeting.

Councilor Kirkland commented on considering new people for the various open positions.

Councilor Vanni thanked Mayor Henrick for assisting her in finding suitable housing for a distressed family.

Mayor Henrick thanked Councilor Vanni for this initiative in assisting the family and thanked Director Keith Place for posting the property as uninhabitable.

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President Weand praised all for the recent successful car show.

ADJOURNMENT

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

Submitted by,

Justin M. Keller
Borough Manager