

October 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. 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 Tuesday, October 10, 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, Solicitor Charles Garner and Borough Secretary Virginia Takach.

APPROVAL OF MINUTES

Motion by Councilor Lebedynsky, seconded by Councilor Monastra to approve the minutes of the September 11, 2023 Council meeting as presented. Motion carried: 7 ayes.

SUBCOMITTEE REPORTS

a. Finance & Administration – President Weand reported that the General Fund revenues are at 87% and expenses at 54%. The real estate taxes collected are at 97% and the local taxes at 87%. President Weand added that assessed properties continue to be reviewed. The total monthly assessment change is up by \$17,667,310 and for the year, the tax revenue change is \$251,389. There were no new LERTA applications.

b. Economic Development & Business Liaison – Ms. Lee-Clark provided an update on the business community including the MontCo Arts Festival, noting that Steel River Playhouse and Rivets had ongoing events. Santa will arrive on the River for the holidays and the planters will be available for adoption. She also provided updates on the Chipotle and Panera developments.

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COMMITTEE REPORTS

- a. Land Bank – Ms. Lee-Clark advised that no action was taken at the last meeting and expects that 122 Beech Street will be addressed at the next meeting.
- b. EAC – There was no meeting.
- c. Regional Planning – Councilor Procsal advised that the main discussion was on the East Coventry Township proposed 155 home development on Fricks Lock Road and Route 724.
- d. Blighted Property Review Committee – Councilor Procsal noted there was no meeting.

COMMENTS FROM CITIZENS PRESENT

- a. R. Haines, 1101 North Franklin Street – spoke in objection to reestablishing the Warming Center at St. Paul’s Church since the zoning variance was denied last year. This is also in close proximity to a school and urged Council to file an injunction.
- b. Elise Chesson, 315 King Street – spoke on behalf of the YWCA’s annual celebration of the Week without Violence and requested the street closure be approved. She also invited all Council members to attend the events as well.
- c. K. Haines, 1101 North Franklin Street – reiterated her concerns regarding the homeless shelter. She noted that Beacon does not have a plan if the property in question is not resolved. She stated that she has contacted Beacon’s Director and was told that certain issues are not his problem.
- d. Sheila Dugan, 71 North Hanover Street – stated her objections regarding the free food being distributed in Smith Family Plaza and doing so without a permit. She also complained about all the trash left behind after these events. Ms. Dugan questioned Council why she and her business would want to stay here.
- e. Polly Weand, 1010 North Evans Street – spoke on her on accord and not from Dan Weand, Council President. She commented on the article regarding Beacon of Hope returning to the St. Paul’s Church. She noted that the Director of Beacon lacks responsibility. adding that Franklin Elementary School is 200’ away from St. Paul’s Church. Ms. Weand also noted that residents do not know anything about the clients and Beacon has not followed the rules of the Borough.
- f. Doug Slick, 474 North Evans Street – commended the Film Festival. He also noted that the homeless need housing, adding that they are not drug attics or have mental illness. Providing housing would resolve these problems and should be controlled.
- g. Donna Shanley, 126 South Franklin Street – complained about a neighbor shooting squirrels out of trees. The neighbor takes up 15 parking spaces in the area and blocks the alleys.

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NEW BUSINESS

a. Sidewalk Ordinance Amendment - Motion by Councilor Monastra, seconded by Councilor Lebedynsky to adopt an Ordinance amending Chapter 21, Streets and Sidewalks, clarifying permitted uses of a public sidewalk

ORDINANCE NO. 2228

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING § 214, "OBSTRUCTIONS," OF PART 2, SIDEWALKS, OF CHAPTER 21, STREETS AND SIDEWALKS, IN ORDER TO CLARIFY THE ILLEGALITY OF ANY USE OF A PUBLIC SIDEWALK FOR ANY PURPOSE OTHER THAN PUBLIC PASSAGE UNLESS OTHERWISE AUTHORIZED BY COUNCIL.

Motion carried: 7 ayes.

c. PARRC - Motion by Councilor Vanni, seconded by Councilor Procsal to adopt a Resolution in support of Participation in the Pottstown Area Regional Recreation Committee (PARRC) Program for a funding term of September 2024 to August 2029

RESOLUTION NO. 2023-19

RESOLUTION IN SUPPORT OF PARTICIPATION IN THE POTTSTOWN AREA REGIONAL RECREATION COMMITTEE (PARRC) PROGRAM

WHEREAS the Borough of Pottstown is currently participating in the Pottstown Area Regional Recreation Committee (PARRC) program, will commence a new funding term in September of 2024 that will end in August of 2029; and

WHEREAS the Borough of Pottstown seeks to continue participation in the PARRC Program that hires a professional to support the promotion/development of regional parks and recreation facilities, services, activities and events in the greater Pottstown area for a five-year term that begins on September 1, 2024; and

WHEREAS these projects also provide significant health and economic benefits, increase use of parks and recreation facilities through programming, and promote active living for residents and families across the greater Pottstown region; and

WHEREAS the Borough of Pottstown understands that the Pottstown Area Health & Wellness Foundation (PAHWF) has offered to assist in the administration of the PARRC program under a contract with the Schuylkill River Greenways, who provides office space and human resource management services to the PARRC program; and

WHEREAS the Borough of Pottstown realizes that an equal cost sharing among participating municipalities is needed, in addition to a substantial commitment by the PAHWF totaling 50% of project costs. Each municipality's commitment is needed to fund their equal share and join together to benefit the entire region's citizens through coordination of parks and recreation services; and

WHEREAS the Borough of Pottstown understands its contributions would be as follows, depending on the number of municipalities that decide to participate:

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# of Municipalities	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
6	\$9,412	\$9,705	\$10,009	\$10,323	\$10,649
7	\$8,067	\$8,319	\$8,579	\$8,848	\$9,128
8	\$8,494	\$8,756	\$9,025	\$9,305	\$9,595

; and

WHEREAS the Borough of Pottstown understands that all collected contributions as outlined above may possibly not be spent in the designated fiscal year as actual expenses may fluctuate as a result of the fluid costs of healthcare, benefits, and/or temporary staffing vacancies, in which event unspent funds will be held by PARRC in reserves; and

WHEREAS PARRC may from time to time utilize funds held in reserve for the purpose of payment of unbudgeted expenses which may be the result of unanticipated costs for healthcare benefits, equipment replacement and discretionary, performance-related lump-sum bonuses to the PARRC Planner, such payments being made in compliance with financial procedures outlined in the PARRC Intergovernmental Cooperative Agreement requiring all such expenditures to be authorized with a unanimous vote of consent from all the PARRC municipalities' appointed board representatives; and

WHEREAS the Borough of Pottstown understands that in the event that unspent funds held in PARRC reserves collected from the contributions of the funding organizations as outlined above reach an amount equal to 50% of the annual PARRC operating cost for the current year a refund will be issued to each funding organization in an amount equitable to the organization's contribution, such payments being made in compliance with financial procedures outlined in the PARRC Intergovernmental Cooperative Agreement requiring all such expenditures to be authorized with a unanimous vote of consent from all PARRC municipalities' appointed board representatives. NOW, THEREFORE BE IT RESOLVED that:

1. Pursuant to the understandings and conditions as reference in the recitals above and which are incorporated herein and pursuant to the contingencies as set forth in paragraph two hereof, the Borough of Pottstown wishes to pledge its support of the continuation of the PARRC program for 5 years beginning September 1, 2024 and ending August 31, 2029.

2. Subject to the binding commitment of a minimum of six regional municipalities, and of the Pottstown Area Health & Wellness Foundation, the Borough of Pottstown hereby supports the participation in the Pottstown Area Regional Recreation Coordinator program.

DULY ADOPTED at the regular meeting of the Borough of Pottstown, Montgomery County this 10th day of October, 2023.

Motion carried: 7 ayes.

d. Lease Agreement – Maria Hernandez - Motion by Councilor Vanni, seconded by Councilor Lebedynsky to approve and authorize execution of a Lease Agreement between the Borough of Pottstown and Maria Hernandez for the use of a portion of the property located at 71 West High Street. Motion carried: 7 ayes.

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e. PART Amendment – Motion by Councilor Lebedynsky, seconded by Councilor Vanni to approve and authorize execution of the First Amendment to the Agreement between the Borough of Pottstown and Pottstown Area Rapid Transit as it relates to the total compensation paid to the contractor. Motion carried: 7 ayes.

f. Act 44 Transit – Motion by Councilor Lebedynsky, seconded by Councilor Vanni to approve the Borough of Pottstown Act 44 Transit Performance Review Plan as required by PennDOT to establish a framework for conducting performance reviews. Motion carried: 7 ayes.

g. Possible action on the zoning relief request of Edward Goodwin for property located at 28 North Hanover Street.

Councilor Procsal recommended no action be taken and forward to Zoning Hearing Board.

h. Possible action on the zoning relief request for Frederick Williams for property located at 920 Glasgow Street

Councilor Vanni recommended no action be taken and forward to the Zoning Hearing Board.

i. Possible action on the zoning relief request of Palladino Metal Fabricators for property located at 337 West High Street

Councilor Vanni recommended no action be taken and forward to the Zoning Hearing Board.

j. YWCA Street - Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of the YWCA Tri-County Area, to hold a street art restoration event from October 19 – October 21, 2023 and allowing the closure of the east side of the 300 block of King Street from North Charlotte to Evans Street from 7:00 a.m. to 6:00 p.m. and a block party on October 21, 2023, closing King Street from 11:00 a.m. - 3:00 p.m., subject to review and approval of the Public Works, Police and Fire Departments. Motion carried: 7 ayes.

k. Freedline Block Party - Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to grant the request of Janet Freedline to hold a block party on October 31, 2023, and allowing the closure of North Franklin Street from Wilson to Diamond Street from 5:00 p.m. to 9:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 7 ayes.

l. Toss Your Turkey – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of the Pottsgrove School District to hold its Toss Your Turkey 5K event on November 23, 2023 and allowing the closure of Keystone Boulevard, from College Drive to South Hanover Street from 7:00 a.m. to 11:30 a.m., subject to approval of the Police and Fire Departments. Motion carried: 7 ayes.

m. Funky Santa 5K - Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of the Parks and Recreation Department to hold its Funky Santa 5K, resulting in the closing of College Drive between South Hanover and Keystone Boulevard on December 3, 2023 from 8:45 a.m. – 10:15 a.m., subject to review of the Police and Fire Departments. Motion carried: 7 ayes.

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REPORT OF BILLS - Motion by Councilor Lebedynsky, seconded by Councilor Monastra to pay the outstanding bills in the amount of \$2,497,116.27. Motion carried: 7 ayes.

ANNOUNCEMENTS

Councilor Lebedynsky commended the film festival at the Rivet.

Councilor Monastra requested that the neighbor complaining about the squirrels being shot, should contact the Police Department as the incident is occurring.

Mayor Henrick noted that two different citizens spoke about something that was only said in executive session and reminded the members of Council that anything discussed in executive session is not to be shared with the public.

EXECUTIVE SESSION

President Weand recessed the meeting to executive session at 7:35 p.m. for collective bargaining items and a matter of litigation with no further action.

ADJOURNMENT

President Weand adjourned the meeting at 8:15 p.m.

Submitted by,

Justin M. Keller
Borough Manager