

October 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. 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 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, Mayor Stephanie Henrick (virtual) and Borough Secretary Virginia Takach. Councilors Michael Paules and Joseph Kirkland were absent.

APPROVAL OF MINUTES

Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to approve the minutes of the September 12, 2022 Council meeting as presented. Motion carried: 5 ayes.

SUBCOMITTEE REPORTS

a. Finance & Administration – President Weand advised the that revenues received at the end of September are at 87% and expenses at 54%. Real estate taxes collected are at 99% and local taxes at 97%. The assessment changes are down by \$1,473,230 for the year. The Borough continues to review under-assessed properties with the School District and Portnoff collections continue. There were no new LERTA applications. President Weand advised that new rates were received from VIST Bank for CD deposits. There was also discussion on the 2023 budget.

COMMITTEE REPORTS

a. EAC – There was no report.

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b. Regional Planning – Councilor Procsal advised that a discussion took place to consider forming an EMT Authority with the Douglass Township team and will be discussing this with the Borough Manager.

c. Blighted Property Review Committee – The minutes were provided in the packets.

COMMENTS FROM CITIZENS PRESENT

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. House of Prayer - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to grant the Conditional Use request of Donald E. Cloen d/b/a House of Prayer – Pottstown, to utilize a portion of the property located at 1304 East High Street as a church, with conditions as stated in the order dated October 11, 2022. Motion carried: 5 ayes.

b. Zoning - 381 West High Street – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to authorize the Solicitor to send a letter of support to the Zoning Hearing Board on the zoning variance request of Brad Hettinger for extended term use and storage, for the property located at 381 West High Street. Motion carried: 5 ayes.

c. Ordinance Amendment – Dumpsters - Motion by Councilor Procsal, seconded by Councilor Lindsay to adopt an Ordinance amending Chapter 20, Solid Waste, to provide for shared dumpsters for certain property owners with contiguous parcels.

ORDINANCE NO. 2218

AN ORDINANCE OF THE BOROUGH OF POTTSTOWN AMENDING SECTION 213, ACCUMULATION AND DISPOSAL OF WASTE, OF PART 2, RECYCLING AND MUNICIPAL WASTE COLLECTION AND DISPOSAL, OF CHAPTER 20, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO PROVIDE FOR SHARED DUMPSTERS FOR CERTAIN PROPERTY OWNERS WITH CONTIGUOUS PARCELS.

Motion carried: 5 ayes.

d. DCNR-C2P2 - Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to adopt a Resolution authorizing the submission of a grant application to the DCNR-C2P2 program for the Chestnut Street Park Redevelopment project, in the amount of \$239,320.

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RESOLUTION NO. 2022-23

Applicant/Grantee Legal Name: BOROUGH OF POTTSTOWN DBA
Web Application ID: 2005536

POTTSTOWN BOROUGH - Project Title: Chestnut Street Park Redevelopment

WHEREAS, BOROUGH OF POTTSTOWN DBA POTTSTOWN BOROUGH ("Applicant") desires to undertake the project, "Chestnut Street Park Redevelopment" ("Project Title"); and WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW THEREFORE, it is resolved that:

1. The grant application may be electronically signed on behalf of the applicant by "Dan Weand" who, at the time of signing, has a TITLE of "Council President" and the email address of "dweand@pottstown.org".
2. If this Official signed the Grant Application Electronic Authorization prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the Grant Application Electronic Authorization, signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the "TITLE" specified in paragraph 1 and the grantee will be bound by the amendment.

Motion carried: 5 ayes.

e. PECO Green - Motion by Councilor Vanni, seconded by Councilor Lindsay to adopt a Resolution authorizing the submission of an application to the PECO Green Region Open Space Program for the Riverfront Park Tree Management Project, in the amount of \$9,624.

RESOLUTION NO. 2022-24

BOROUGH OF POTTSTOWN
MONTGOMERY COUNTY, PENNSYLVANIA

A Resolution Authorizing Application to the PECO Green Region Open Space Program
for the Riverfront Park Tree Management Project

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WHEREAS, the Borough of Pottstown (“Borough”) desires to undertake the project; and,
WHEREAS, the Borough desires to apply to the PECO Green Region Open Space Program for a grant for the purpose of carrying out this project; and,
WHEREAS, the Borough has received and understands the PECO Green Region Open Space Program Guidelines.

THEREFORE, BE IT RESOLVED THAT the Borough Council hereby approves this project and authorizes application to the PECO Green Region Open Space Program in the amount of \$9,624.00.

Motion carried: 5 ayes.

f. Hough Associates - Motion by Councilor Lindsay, seconded by Councilor Vanni to approve and authorize execution of a five-year agreement with Hough Associates for the collection of residential and commercial recycling data and prepare the PA DEP904 Recycling Grant Application. Motion carried: 5 ayes.

g. Animal Control Officer - Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to authorize the Solicitor to prepare a draft Addendum to the Animal Control Officer’s contract for the year 2023. Motion carried: 5 ayes.

h. Pottstown Community Arts - Motion by Councilor Procsal, seconded by Councilor Vanni to grant the request of the Pottstown Community Arts Committee of MOSAIC to decorate the light poles on the 200, 300 and 400 blocks of High Street and the Garth Statue area at High and Evans Streets, with corn stalks and ribbons, from October 22, 2022 to November 2, 2022.

Mr. Keller confirmed that the group will be coordinating with Staff for location of decorations.

Motion carried: 5 ayes.

i. Realty One – Clock Tower - Motion by Councilor Lindsay, seconded by Councilor Vanni to grant the request of Realty One Group to decorate the Clock Tower area, High & Charlotte Streets, with corn stalks and hay bales, with removal by November 2, 2022. Motion carried: 5 ayes.

j. Freedline Block Party - Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to grant the request of Janet Freedline to hold a block party on October 31, 2022 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: 5 ayes.

k. Victory Christian Life - Motion by Councilor Procsal, seconded by Councilor Lindsay to grant the request of Victory Christian Life Center to hold a block party on October 31, 2022 and allowing the closure of Washington Street between King Street and Buttonwood Alley from 4:00 p.m. to 8:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 5 ayes.

l. YWCA Street Closure - Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to grant the request of the YWCA Tri-County Area, to hold a street art restoration event from October 20, 2022 to October 22, 2022 and allowing the closure of the east side of the 300

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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 22, 2022, 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: 5 ayes.

m. TCAAC Beer Garden - Motion by Councilor Vanni, seconded by Councilor Lindsay to grant the request of the TriCounty Active Adult Center to change the venue of the October 22, 2022 Cheestoberfest event and allow a beer garden in the Riverfront Park from 12:00 p.m. to 3:00 p.m., subject to review and approval of the Police and Fire Departments and compliance with regulations of the Liquor Control Board. Motion carried: 5 ayes.

REPORT OF BILLS - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to pay the outstanding bills in the amount of \$4,525,042.64.

President Weand noted that this month's report includes the Minimum Municipal Obligation (MMO) payments.

Motion carried: 5 ayes.

ANNOUNCEMENTS

The Councilors wished all a Happy Halloween and encouraged all to participate in the October events

EXECUTIVE SESSION

President Weand recessed the meeting to Executive Session a 7:15 p.m. for one item of litigation.

RECONVENED

The meeting reconvened at 7:30 p.m.

n. Solid Waste Contract – Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to approve and authorize a stipulation and settlement agreement with J. P. Mascaro and Sons for the Solid Waste Collection and Recycling Disposal Contract for a five (5) - year term with two (2) one (1)-year extensions, which can be exercised upon mutual consent, with the final form of the stipulation and agreement in a form acceptable to the Borough Manager and the Borough Solicitor. Motion carried: 5 ayes.

ADJOURNMENT

President Weand adjourned the meeting at 7:33 p.m.

Submitted by,

Justin M. Keller
Borough Manager