

March 13, 2006

POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, March 13, 2006 at 7:00 p.m. in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, Pennsylvania, with President Wolf in the Chair.

INVOCATION

PLEDGE ALLEGIANCE

ROLL CALL

Councilors present were Mark Gibson, Arthur Green, Michael Wenzel, Stephen Toroney, Greg Berry, Jack Wolf and James Vlahos. Also present were Mayor Sharon Thomas, Borough Manager Jack Layne, Solicitor Charles Garner, Jr., Assistant Borough Manager Raymond Lopez and Borough Manager's Secretary Virginia Takach.

APPROVAL OF MINUTES

Motion by Councilor Berry, seconded by Councilor Green to approve the February 13, 2006 Council Meeting minutes as presented. Motion carried: 7 ayes.

COMMENTS FROM CITIZENS' PRESENT

- a. Jody Rhoads, 168 South Roland Street – provided photographs with trash issues throughout the Borough. Mr. Rhoads also complained about the destruction being done by the trash haulers.
- b. Annmarie Hans, 306 North Evans Street – advised that she participated in the walk-through with the ACORN group addressing the bulk pick up items throughout the Borough and noted that the present sticker system is not working.
- c. Art Tucker, 232 North Evans Street – also complained about the garbage strewn about the Borough.
- d. Pastor Everett Debnam, 79 North Hanover Street – noted that since the November Council meeting, he has not yet received an answer regarding the clock tower at the Invictus Church. He added that he has not yet received an apology from the Borough with respect to remarks made about the sign for the Church. Pastor Debnam also presented petitions with 804 signatures asking Council to dissolved the Ricketts Center Collaborative Board until further notice and requested a special subcommittee be formed to address outstanding issues with the Board.
- e. Newstell Marable, President NAACP, 880 North Evans Street– noted that he has

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not yet received a reply from last month's meeting concerning the Ricketts Center Collaborative Board.

- f. Gloria Boswell, 651 Beech Street – agreed with the request for a meeting regarding the Collaborative Board.
 - g. Margaret Dabney, 337 Lincoln Avenue – spoke in support of the Ricketts Center.
 - h. Charles E. Wise, Sr., 520 Grant Street – also expressed concern over not yet receiving a response from comments made at the November 14th meeting.
- Mr. Lopez explained that after the November meeting he, along with Councilor Gibson, did meet with Pastor Debnam, and extended an apology on behalf of the Borough in hopes of resolving these issues.
- i. Teresa Thomas, 464 West Walnut Street – offered her allotted time to Pastor Debnam to respond.
- Pastor Debnam noted that the apology from Mr. Lopez on behalf of the Borough was accepted and greatly appreciated, although it was not an apology from the offender.
- j. Dorothy Freeman, 445 Chestnut Street – complained about the trash and leaves in the streets.
 - k. Jamie Williams, 619 Chestnut Street – also voiced his concerns in agreement with Pastor Debnam regarding the clock tower, the Ricketts Center and the Invictus Church.
 - l. Karlene Hadesty, 549 High Street – expressed concern regarding a newspaper article stating that two individuals charged with theft were residing at the Shaanti Towers, while attending an Exton based school. Mrs. Hadesty also referred to the excessive parking problems in the Borough and suggested the Borough be more customers friendly.
 - m. Leon Powell – urged the new Council to keep a place for which the children can go.
 - n. Ronald Brown, 915 North Washington Street – provided information and statistics regarding the cost of trash and suggested the pay-per-bag system.
 - o. Belinda George, 445 Chestnut Street – spoke in support of the Ricketts Center and also expressed concern over the excessive amount of trash in the streets and suggested using the street sweeper. Ms. George also expressed concern over the drug transactions at the Chestnut and Washington Street Park and the lack of police presence at the substation.
 - p. Ronald Benton, NAACP, 19 West 3rd Street – noted that the Ricketts Center is a community center not just a neighborhood center. He also complained about the numerous drug houses in the Borough, which are not being addressed.

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q. Jody Rhoads, 168 South Roland Street – questioned how long the trash bids were out before the bid was awarded.

Manager Layne advised that the bids were out two times for 25 days each time.

MAYOR'S REPORT

Mayor Thomas presented a Civilian Service Award to Christopher Miller for his assistance in a 2004 road-rage incident. A commendation will also be forwarded to Raymond Knauer, a Lieutenant with Graterford Prison, for his assistance in solving the December 2004 armed robbery at the Ice House Deli.

Mayor Thomas reiterated that the strength of the town is in the neighborhoods. The Mayor also noted that she is structuring a neighborhood triage initiative for problems throughout the Borough.

PUBLIC HEARING – REVITALIZATION PROJECTS

President Wolf opened a Public Hearing at 8:00 P.M. and requested public comment regarding the projects to be submitted with the Montgomery County Community Revitalization Board. The proposed projects in prioritized order are as follows: Homeownership Initiative, Downtown Pottstown Theater Improvements and Downtown Streetscape Improvements.

Hearing no comments, President Wolf closed the hearing at 8:01 P.M.

MAYOR'S REPORT CONTINUED

Mayor Thomas provided the statistics for the Department for the month of February. She also expressed concern regarding outstanding issues with the Parks and Recreations Department. The Mayor also advised that she will be working with the Human Relations Commission on Diversity training.

MANAGER'S REPORT

Manager Layne thanked the Emergency Management team for the handling of the recent oil leak in the area of Walnut and Manatawny Streets. Mr. Layne also provided responses to former concerns of citizens. He addressed a concern regarding the enforcement of smoke detectors, noting that this is a life saving safety issue. He also noted that the Police Department does monitor traffic violations including minor ones. Mr. Layne also addressed the health concerns in using well water from the Pottstown Metal Weld site. Mr. Layne also advised of the traffic study under consideration for the area of Maple Street and Moser Road. He added that he will be addressing issues with the street sweeper with the Public Works Director.

COMMITTEE REPORTS

a. Library – Councilor Green reported that the board is working with Senator

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Rafferty's office for a grant for building improvements. He added that meetings are ongoing regarding the Keystone Grant.

b. Human Relations – Mayor Thomas reported that the guest speaker was Newstell Marable, President NAACP. She added that a new brochure for marketing and cross training will be implemented in the near future. The Mayor added that the Commission granted approval for herself and another member to attend a one-day conference on Diversity at Drexel University.

c. PDIDA – Councilor Vlahos advised that snow removal for the merchants was a topic of discussion at the last meeting. He added that a coordination effort is ongoing to improve communications with Council, PDIDA and the TriCounty Chamber.

d. Cable Commission – Mr. Layne advised that the next meeting is March 21st.

e. COG – President Wolf noted that a meeting is scheduled for March 14th in Upper Pottsgrove Township.

f. EAC – Mr. Read advised that a special meeting is scheduled for March 27th with Exelon regarding the proposed storage of fuel rods. He also referred to the agenda item requesting a letter to DEP for a public hearing on discharged ground water from Occidental Chemical Company.

UNFINISHED BUSINESS

President Wolf referred to letters he distributed this evening regarding a personnel issue from last month with respect to the Planning Commission and the Washington Neighborhood Initiative. Mr. Wolf advised that Council will be accepting the responsibility over this project, superintended by Economic Development Director Jim Fairchild and, assisted by Councilors Jim Vlahos and Mark Gibson as well as Tom Hylton, Planning Commission Chairman.

NEW BUSINESS

a. Phase I – Parking Lots – Motion by Councilor Green, seconded by Councilor Berry to authorize Staff to proceed with Phase I of the Municipal Parking Lots – Parking Meters Proposal of February 8, 2006.

Councilor Green commented on the written request from a merchant to postpone this issue for another month, adding that interested parties are welcome to attend and participate in the parking committee meetings. He moved to table his original motion for next month's agenda.

Councilor Gibson seconded this motion. The motion carried: 7 ayes.

Councilor Gibson added that the parking lots need addressing promptly, which have been a burden on the taxpayers.

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President Wolf also referred this issue to the Public Works Department for data and financial and consideration.

b. Contract – Captain of Police – Motion for Councilor Wenzel, seconded by Councilor Toroney to approve and execute a contract amendment for Allan R. Ewing, Captain of Police. Motion carried: 7 ayes.

c. Stop Sign Franklin & Lincoln – Motion by Councilor Gibson, seconded by Councilor Wenzel to authorize the Solicitor to prepare and advertise an ordinance establishing a four-way stop intersection for Franklin Street and Lincoln Avenue as recommended by the Parking Committee subject to the outcome of a traffic study by the Police Department.

Councilor Toroney noted that normally a traffic study would precede the request for an ordinance and motioned to table the issue. No second to the motion was received.

President Wolf advised that the cost of preparing and advertising the ordinance would not take place until a traffic study was presented to Council.

Motion carried: 7 ayes.

d. Parking – North Side South Street – Motion by Councilor Wenzel, seconded by Councilor Vlahos to authorize the Solicitor to prepare and advertise an ordinance establishing parking on the north side of South Street, between Charlotte and Evans Streets as recommended by the Parking Committee. Motion carried: 7 ayes.

e. DVRPC Reimbursement Agreement – Motion by Councilor Wenzel, seconded by Councilor Green to adopt a Resolution authorizing the Council President and Borough Manager to sign the Delaware Valley Regional Planning Commission Transportation Enhancement Program Federal and Reimbursement Agreement.

RESOLUTION No. 2006 - 6

AUTHORIZING THE BOROUGH COUNCIL PRESIDENT AND BOROUGH MANAGER TO SIGN AND ATTEST THE DELAWARE VALLEY REGIONAL PLANNING COMMISSION TRANSPORTATION ENHANCEMENT PROGRAM FEDERAL AID REIMBURSEMENT AGREEMENT

WHEREAS, the Borough Council wishes to enter into a TE Program Federal Aid Reimbursement Agreement for the Pedestrian/Bicycle Promenade project.

NOW THEREFORE BE IT RESOLVED, that the Pottstown Borough Council hereby authorizes and directs the two attached TE Program Federal Aid Reimbursement Agreements for the Pedestrian/Bicycle Promenade project designated as Agreement #064209 be signed by the President of the Borough Council and attested by the Borough Manager, and in doing so, agree to be legally bound to the terms, conditions, and provisions set forth by the agreements.

ENACTED AND RESOLVED, this 13th day of March, A. D., 2006.

Motion carried: 7 ayes.

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f. Public Hearing/Occidental Chemical – Motion by Councilor Toroney, seconded by Councilor Green to authorize the Borough Manager to send a letter to the Department of Environment Protection, requesting a public hearing on the matter of pumped ground water from Occidental Chemical Company. Motion carried: 7 ayes.

g. MC Revitalization Board – Motion by Councilor Berry, seconded by Councilor Toroney to adopt a Resolution authorizing the Borough Manager or designee to submit an application to the Montgomery County Community Revitalization Board for grant monies for the following projects and prioritize as follows:

- a) Homeownership Initiative
- b) Downtown Pottstown Theater Improvements
- c) Downtown Pottstown Streetscape Improvements

RESOLUTION No. 2006 – 7

AUTHORIZING THE BOROUGH MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO THE MONTGOMERY COUNTY COMMUNITY REVITALIZATION BOARD FOR THE PURPOSE OF OBTAINING GRANT MONIES TO IMPLEMENT PROGRAMS AND PROJECTS IDENTIFIED IN POTTSTOWN'S COMMUNITY AND ECONOMIC DEVELOPMENT ACTION AND IMPLEMENTATION STRATEGY

WHEREAS, the Montgomery County Community Revitalization Board has made funding available for the purpose of supporting economic development activities in the County's older urban communities; and

WHEREAS, the Borough of Pottstown has completed a community and economic development action and implementation strategy which identifies projects and programs for the revitalization of Pottstown; and

WHEREAS, this strategy has been approved by Borough Council and the Revitalization Board.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Town Council that the Borough Manager or his designee is authorized to make application to the Montgomery County Community Revitalization Board to obtain monies to implement the following projects and programs in priority order:

Homeownership Initiative
Downtown Pottstown Theater Improvements
Downtown Pottstown Streetscape Improvements

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Town Council that the above identified projects are hereby approved and that the proper officials are hereby authorized to submit applications including said projects.

ADOPTED at Pottstown Borough Hall, this 13th day of March, A.D. 2006

Motion carried: 7 ayes.

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h. IT Support – Motion by Councilor Berry, seconded by Councilor Gibson to authorize Staff to proceed with obtaining Requests for Proposals for Information Technology and Support.

Councilor Berry questioned if staff should be directed to obtain specific requirements for Finance and Codes software.

President Wolf noted that this should not be required.

Motion carried: 7 ayes.

i. FOG Appeals – Motion by Councilor Green, seconded by Councilor Wenzel to adopt an Ordinance amending the FOG (Fat, Oil and Grease) Program to establish an Appeals Procedure.

ORDINANCE NO. 2016

AN ORDINANCE CREATING A NEW SECTION 808, APPEALS PROCEDURE, OF PART 8, FOG PROGRAM, OF CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED.

Solicitor Garner advised that the appeals would come before the Borough Manager.

Motion carried: 7 ayes.

j. Keystone Boulevard – Motion by Councilor Vlahos, seconded by Councilor Toroney to adopt an Ordinance ordaining and accepting Keystone Boulevard as a street of the Borough of Pottstown.

ORDINANCE NO. 2017

AN ORDINANCE ORDAINING AND ACCEPTING KEYSTONE BOULEVARD AS A STREET OF THE BOROUGH OF POTTSTOWN.

Motion carried: 7 ayes.

k. Special Parking/Walnut Street – Motion by Councilor Berry, seconded by Councilor Gibson to adopt an Ordinance regarding Special Purpose Parking on Walnut Street and establishing new Borough Parking Lots and their regulations.

ORDINANCE NO. 2018

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING SECTION 406, SPECIAL PURPOSE PARKING ZONES ESTABLISHED, TO PROVIDE FOR AN ADDITIONAL AREA OF SPECIAL PURPOSE PARKING ON THE SOUTH SIDE OF WALNUT; TO AMEND PART 6, SECTIONS 614,

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615, 620 AND 621 OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, AND ORDINANCE NO. 1997, TO ESTABLISH A NEW BOROUGH PARKING LOT CONSISTING PARTIALLY OF MONTHLY PERMIT PARKING AND PARTIALLY SPACED REGISTRATION AND ESTABLISHING CHARGES AND HOURS FOR SUCH PARKING PURPOSES.

Motion carried: 7 ayes.

l. Sara Elizabeth Steinhauer – Motion by Councilor Wenzel, seconded by Councilor Green to adopt a Resolution recognizing and honoring Sara Elizabeth Steinhauer for the Celebration of her 100th Birthday.

RESOLUTION No. 2006 – 8

A RESOLUTION TO RECOGNIZE AND HONOR SARA ELIZABETH STEINHAUER FOR THE CELEBRATION OF HER 100TH BIRTHDAY

WHEREAS, Sara Elizabeth Steinhauer will have enjoyed 100 years of life on the 25th day of March, A.D., 2006; and

WHEREAS, Sara was born on March 25, 1906 in Pennsburg, Montgomery County, PA and lived in the Borough of Pottstown for most of her adult life; and

WHEREAS, Sara worked as a seamstress in the Hosiery Knitting Mill in Schwenksville, Montgomery County, PA for many years; and

WHEREAS, Sara married George Steinhauer and was blessed with one child, two grandchildren and seven great-grandchildren; and

WHEREAS, Sara has walked the path of life, has found strength and comfort in her family and many friends through the journey and has enlightened others with her wisdom, laughter and cheerful personality; and

WHEREAS, Sara now lives comfortably in the retirement community at the Villa at Morlatton amongst many old and new friends; and

WHEREAS, such an event should be duly noted and properly celebrated by all citizens of Pottstown.

NOW, THEREFORE, BE IT RESOLVED, that the Burgess and Town Council of the Borough of Pottstown honors and rejoices in the celebration of one hundred years of life for Sara Elizabeth Steinhauer.

RESOLVED AND ENACTED by the Pottstown Borough Council in a public meeting this 13th day of March, A.D., 2006.

Motion carried: 7 ayes.

m. Greenway Sojourn – Motion by Councilor Toroney, seconded by Councilor Green to grant request of the PA Greenway Sojourn for a biking event at Riverfront Park on July 26, 2006 subject to approval of the Police and Fire Departments. Motion carried: 7 ayes.

n. NBL Camping Event – Motion by Councilor Gibson, seconded by Councilor Vlahos to grant request of the Parks and Recreation Department to host an NBL Regional

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camping event at the Trilogy Park on August 5 & 6, 2006 subject to approval of the Police and Fire Departments.

At the request of the Mayor, Councilor Gibson amended the motion to read “by Trilogy Park at Memorial Park.”

Motion carried: 7 ayes.

o. High and Manatawny Street Intersection – Motion by Councilor Wenzel, seconded by Councilor Toroney to reject all bids for the Traffic Signal and Driveway Improvements for the High and Manatawny Street Intersection.

Councilor Berry questioned why the bids were being rejected.

Manager Layne replied that the bids received were twice as much as projected.

Motion carried: 7 ayes.

p. Lawn Maintenance/Airport – Motion by Councilor Vlahos, seconded by Councilor Green to award the 2006 Lawn Maintenance bid for the Pottstown Municipal Airport to Action Landscaping, Croyden, PA in the amount of \$584 per cut. Motion carried: 7 ayes.

q. Lawn Maintenance/Garage – Motion by Councilor Toroney, seconded by Councilor Gibson to award the 2006 Lawn Maintenance bid for the Borough Garage to Rowland’s Landscape, Inc., in the amount of \$35 per cut. Motion carried: 7 ayes.

r. Handicap Curb Ramps – Motion by Councilor Green, seconded by Councilor Wausnock to award bid for Handicapped Curb & Sidewalk Ramps to AFP Contracting, Inc., Coatesville, PA 19320 in the amount of \$168,844.

Doug Yerger commented that the project is approximately 80% complete.

Motion carried: 7 ayes.

s. New Street Subdivision – Motion by Councilor Wenzel, seconded by Councilor Green to grant preliminary/final approval of the New Street Subdivision, 356-358 New Street subject to satisfying the following conditions within 90 days:

- a) Compliance with Bursich letter of February 17, 2006
- b) Payment in full of all Borough Review Fees

Motion carried: 7 ayes.

t. New Street Subdivision – Motion by Councilor Toroney, seconded by Councilor Green to grant the following waiver requests from the requirement of the SLDO for the New Street Subdivision, 356-358 New Street, subject to satisfying the following conditions within 90 days:

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- a) Section 503 – requirement of shade trees
- b) Section 504 – requirement of open space trees
- c) Section 505 – requirement of street trees

Motion carried: 7 ayes.

u. HARB – Motion by Councilor Vlahos, seconded by Councilor Green to approve Certificates of Appropriateness for the following properties as recommended by HARB:

- a) 542 High Street
- b) 1154 High Street
- c) 1154 High Street
- d) 1112 East High Street
- e) 961 & 963 High Street

Motion carried: 7 ayes.

v. HARB – Motion by Councilor Wenzel, seconded by Councilor Toroney to deny Certificates of Appropriateness for the following properties as recommended by HARB:

- a) 152 High Street
- b) 244 High Street

Councilor Vlahos suggested expediting these signage issues so as not to hinder visitors looking for the TriCounty Chamber office.

Councilor Berry questioned if the applicants of 244 High Street were being fined for putting up the sign prior to approval.

President Wolf commented that this would be referred to the Codes Department.

Motion carried: 7 ayes.

Councilor Berry expressed concern regarding an invitation he received for an event at The Hill School regarding the Early Learning Center. The invitation depicted the new Pottstown Logo.

President Wolf replied that the Borough adopted the logo after being unveiled by PDIDA and the Pottstown Downtown Foundation and could be used throughout the Borough.

EXECUTIVE SESSION

President Wolf recessed the meeting to executive session at 8:48 p.m. for a personnel matter.

RECONVENED

The meeting reconvened at 9:15 p.m.

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REPORT OF BILLS

Motion by Councilor Toroney, seconded by Councilor Wenzel to pay the outstanding bills in the amount of \$1,776,713.52. Motion carried: 7 ayes.

ANNOUNCEMENT

Solicitor Garner advised that a Conditional Use Hearing is scheduled for March 30, 6:00 p.m. for the Mrs. Smith's Pie Development.

ADJOURNMENT

The meeting adjourned at 9:20 p.m. on motion by Councilor Green and Council returned to Executive Session.

Attested,

Jack P. Layne, Jr.
Borough Manager