

November 13, 2006

## POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, November 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 and Jack Wolf. Also present were Mayor Sharon Thomas, Borough Manager Raymond Lopez, Solicitor Charles Garner, Jr., and Borough Secretary Virginia Takach. Councilor Vlahos was absent.

### APPROVAL OF MINUTES

Motion by Councilor Toroney, seconded by Councilor Green to approve the October 10, 2006 Council Meeting minutes as presented.

Councilor Gibson requested a correction be made regarding the Betts Foods motion, which was seconded by Mr. Gibson, not Councilor Green.

Motion to approve the corrected minutes carried: 6 ayes.

### COMMENTS FROM CITIZENS' PRESENT

a. Jody Rhoads, 168 South Roland Street – expressed his concerns with repeatedly hearing the same complaints from constituents regarding various issues such as trash, streets and water and sewer problems. He added that grant money being received is not helping the people of Pottstown and traffic issues are not being address.

b. Ronald Brown, 915 North Washington Street – commented that he preferred the data format of previous years, prior to 2004 and 2005, in that it was easier to follow and would hope that the Borough returns to that format. Mr. Brown also provided several handouts for review.

c. Matt Crouse, 871 Queen Street – praised the Borough for recent and upcoming projects and the new restaurants in the downtown. He also noted that the proposed Creative Health facility for the downtown would be a major deterrent for future growth and revitalization for the downtown while also acknowledging the need for such a facility.

### MAYOR'S REPORT

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Mayor Thomas provided the Police statistics for the month of October. She also thanked all those involved with the *Thunder on the Hill* event. Mayor Thomas reported on the November 11<sup>th</sup> Veterans Day events by the Joint Veterans Council.

Mayor Thomas also read a letter from Councilor Vlahos informing Council of his resignation from Pottstown Borough Council effective November 13, 2006. The Mayor thanked Mr. Vlahos for his efforts while on Council and during the campaign.

Solicitor Garner recommended that Council take action at this meeting to accept the resignation, adding that Council has 30 days to appoint a new member.

Mayor Thomas questioned if the new member would be of the same political party as Mr. Vlahos.

Solicitor Garner responded that there is no requirement under the Borough Code to appoint a member of the same party adding that the new member would hold the position until the next municipal election.

#### MANAGER'S REPORT

Manager Lopez reported that interviews for the Economic Development Director position are in progress. He added that the Utility Account Supervisor started on this date. Mr. Lopez also advised that a search button will be added to the website for ease in navigating the Borough's website. Mr. Lopez also advised that the *Wireless Pottstown Initiative* was launched on November 9<sup>th</sup> and future sites for wireless access are being investigated, adding that a request for used laptops to be regifted to the School District is underway.

#### COMMITTEE REPORTS

a. Library – Councilor Green reported that the Library is in the process of requesting additional funding from area townships. He added that the Strategic Planning Committee is making considerable progress.

b. Human Relations – Councilor Gibson had no report.

c. PDIDA – Hildegard Rutter advised that Santa arrives on Saturday, November 18<sup>th</sup> and provided a report on the upcoming Holiday Extravaganza and requested sponsors for the reindeer in the Smith Family Plaza Town Center.

d. Cable Commission – There was no meeting last month. Councilor Berry suggested a liaison be present at the Council meetings.

e. COG – President Wolf noted that the next meeting is November 14<sup>th</sup>.

f. EAC – Don Read advised that Exelon would be responded to the request for extra levels of monitoring for the Dry Cask Storage project, adding that he would have a detailed report for the next meeting.

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UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Crossover Generation Day Care – Motion by Councilor Wenzel, seconded by Councilor Green to approve the Conditional Use Application of the Crossover Generation Child Day Care Center, 201 North Hanover Street, to permit the use for a child care facility, with conditions as stated in the order dated November 13, 2006. Motion carried: 6 ayes.

b. Consolidation Audit Services – Motion by Councilor Wenzel, seconded by Councilor Green to authorize Staff to proceed with Request for Proposals to consider consolidation audit services for the Borough of Pottstown and the Pottstown Borough Authority. Motion carried: 6 ayes.

c. Bike Pottstown – Motion by Councilor Green, seconded by Councilor Wenzel to send a letter of support to the Greater Valley Forge Transportation Management Association and the TriCounty Area Chamber of Commerce for the Bike Pottstown Initiative.

Councilor Toroney advised that he has received offers for donations of bikes.

Motion carried: 6 ayes.

d. Police Pension Ordinance – Motion by Councilor Gibson, seconded by Councilor Green to authorize the Solicitor to prepare and advertise an amendment to the Police Pension Ordinance. Motion carried: 6 ayes.

e. Open Space Ordinance Amendment – Motion by Councilor Wenzel, seconded by Councilor Toroney to authorize the Solicitor to prepare and advertise an ordinance amending the Subdivision and Land Development Ordinance to revise the requirements for dedication of open space and recreational facilities. Motion carried: 6 ayes.

f. NIMS – Motion by Councilor Gibson, seconded by Councilor Green to adopt a Resolution designating the National Incident Management (NIMS) as the basis for all Incident Management in the Borough of Pottstown.

RESOLUTION NO. 2006 – 28

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)  
AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE BOROUGH OF  
POTTSTOWN, MONTGOMERY COUNTY, PENNSYLVANIA.

WHEREAS, the President of Homeland Security Presidential Directive (HSPD)-5 directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and

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efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, local and tribal homeland security partners has been, and will continue to be vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest level of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the ability of Pottstown Borough to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of the various incident management activities throughout Borough of Pottstown, including current emergency management training programs; and

WHEREAS, the National Committee on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, that the National Incident Management System (NIMS) is designated as the standard for incident management for the Borough of Pottstown.

ENACTED AND RESOLVED this 13<sup>th</sup> day of November 2006.

Motion carried: 6 ayes.

g. NIMS – Motion by Councilor Green, seconded by Councilor Wenzel to adopt a Resolution establishing a timeline for the Borough to satisfy requirements for the National Incident Management System (NIMS).

#### RESOLUTION NO. 2006 – 29

**A RESOLUTION OF THE BOROUGH OF POTTSTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING A TIMELINE FOR THE BOROUGH TO SATISFY REQUIREMENTS FOR THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS).**

WHEREAS, pursuant to Resolution No. 2006 –28 the Burgess and Town Council of the Borough of Pottstown, designated as the standard for incident management the National Incident Management System (NIMS); and

WHEREAS, in order to be compliant with NIMS, Borough of Pottstown (the “Borough”) is required to satisfy certain implementation requirements in accordance with a timeline dictated by NIMS; and

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WHEREAS, the Pennsylvania Emergency Management Agency (PEMA) requires that the Borough submit a timeline for the training and other implementation requirements that extend beyond the compliance period required by NIMS in order for the Borough to be compliant with NIMS; and

WHEREAS, the timeline to be adopted by the Borough is attached hereto, incorporated herein and marked as Exhibit "A"; and

WHEREAS, PEMA requires that the Borough certify its compliance with NIMS by signature on The National Incident Management System FY06 Certification.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Burgess and Town Council of the Borough of Pottstown, that the timeline for the Borough to satisfy certain implementation requirements for National Incident Management System (NIMS), which is attached hereto and incorporated herein as Exhibit "A", is hereby adopted. It is further resolved that the National Incident Management System FY06 Certification shall be executed by the President of Pottstown Borough Council.

ENACTED AND RESOLVED this 13th day of November 2006.

Motion carried: 6 ayes.

h. 2006 Recycling Data/904 Recycling Grant – Motion by Councilor Wenzel, seconded by Councilor Toroney to approve and execute an Agreement between Hough Associates and the Borough of Pottstown to Collect 2006 Recycling Data and prepare PA DEP 904 Recycling Grant Application.

Manager Lopez advised that a \$7,500 grant provided for a recycling newsletter, which was made available to residents and businesses and reapplication will be made this year.

Motion carried: 6 ayes.

i. Borough Treasurer – Motion by Councilor Toroney, seconded by Councilor Gibson to appoint Robert M. Armelin as the Borough Treasurer. Motion carried: 6 ayes.

j. Administration Permanent Positions - Motion by Councilor Toroney, seconded by Councilor Green to approve the permanent positions in the Administration Department for a Project Coordinator and Human Resources Representative.

Councilor Berry questioned the need for these positions. He added that if the payroll department were outsourced, it would lessen the burden in the Human Resources Department.

Councilor Gibson questioned the difference between the Projects Manager and the Assistant Borough Manager's job description and duties.

Mr. Lopez advised that he would provide a more detailed description and expected duties of these positions.

Mayor Thomas suggested a cost evaluation study for outsourcing the payroll.

Councilor Toroney, seconded by Councilor Wenzel, motioned to table this matter.

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Motion carried: 6 ayes.

k. PennDOT Signature Authorization – Motion by Councilor Wenzel, seconded by Councilor Green to adopt a Resolution authorizing the Borough Manager to sign for all agreements entered into with the Commonwealth of Pennsylvania, Department of Transportation and authorizing the Borough Secretary to attest the same.

RESOLUTION NO. 2006 – 30

BE IT RESOLVED, by Authority of the Pottstown Borough Council of the Borough of Pottstown, Montgomery County, and it is hereby resolved by authority of the same, that the Borough Manager of said Municipality be authorized and directed to sign on its behalf any and all agreements entered into with the Commonwealth of Pennsylvania, Department of Transportation and that the Borough Secretary be authorize to attest the same.

Enacted and resolved this 13<sup>th</sup> day of November 2006.

Motion carried: 6 ayes.

l. Summit View – Motion by Councilor Wenzel, seconded by Councilor Toroney to grant preliminary/final approval of the Summit View, 86 West 5<sup>th</sup> Street Subdivision/Land Development Plan subject to satisfying the following conditions within 90 days:

- a) Compliance with Bursich letter of October 12, 2006
- b) Architectural approval by Joe Fay
- c) Voluntary contribution in lieu of required number of trees at \$350 per tree
- d) Payment in full of all Borough review fees

Motion carried: 6 ayes.

m. Summit View – Motion by Councilor Wenzel, seconded by Councilor Green to grant the following waiver requests from the requirement of SLDO for Summit View, 86 West 5<sup>th</sup> Street Plan:

- a) Section A402.1 – requirement of showing existing features within one hundred (100) feet of site
- b) Section A402.2 – requirement of contour elevations within one hundred (100 feet of site
- c) Sections 504 & 505 – requirements of shade and street trees

Motion carried: 6 ayes.

n. Franklin Street and Jefferson Avenue – Motion by Councilor Green, seconded by Councilor Wenzel to authorize the Solicitor to prepare and advertise an ordinance establishing an all-way stop intersection at Franklin Street and Jefferson Avenue. Motion carried: 6 ayes.

o. Handicap Parking Space – Motion by Councilor Green, seconded by Councilor Gibson to authorize the designation of one handicap parking space in the area of 212 High Street as recommended by the Parking Committee. Motion carried: 5 ayes, 1 nay. President Wolf cast the negative vote.

p. Authority Appointment – Motion by Councilor Toroney, seconded by Councilor Gibson to reappoint Douglas Dilliplane to the Pottstown Borough Authority for a five-year term to expire January 1, 2012. Motion carried: 6 ayes.

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

- a) 1027 East High Street
- b) 15 North York Street
- c) 300 High Street
- d) 226 King street
- e) 935 East High Street
- f) 1019 East High Street
- g) 140 King Street
- h) 131-133 King Street
- i) 137 High Street
- j) 642-644 East High Street
- k) 101 King Street

Motion carried: 6 ayes.

r. HARB – Motion by Councilor Green, seconded by Councilor Toroney to deny application for a Certificate of Appropriateness for the following property as recommended by HARB:

- a) 24 King Street

Mr. Smith commented that there was a miscommunication between the Board and the applicant and he expects this to come before the Board at the next meeting.

Motion carried: 6 ayes.

s. Resignation James Vlahos – Motion by Councilor Toroney, with regret and gratitude, seconded by Councilor Green, to accept the resignation of Councilor Vlahos as Councilor of the 7<sup>th</sup> Ward effective November 13, 2006.

President Wolf also thanked Mr. Vlahos for his service and willingness to represent the 7<sup>th</sup> Ward and for his participation on Council.

Councilor Berry added that Mr. Vlahos' tremendous experience would be missed and his vision for the Borough and its success would be carried out.

Motion carried: 6 ayes.

### RECESS

President Wolf recessed the meeting at 8:00 p.m.

The meeting reconvened at 8:10 p.m.

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## REPORT OF BILLS

Motion by Councilor Wenzel, seconded by Councilor Green to pay the outstanding bills in the amount of \$3,431,032.63. Motion carried: 5 ayes, 1 nay. Councilor Berry cast the negative vote.

## BUDGET REVIEW

a. Police Department – Chief Mark Flanders and Administrator Charles Bleile were present to review the Police Department Budget. Mr. Armelin explained the revenues and the proposed expenditures with a requested increase of \$650,000.

It was the consensus of Council to have the Department review expenditures and return to Council with a more limited increase.

Councilor Berry commended the Department on its presentation of the budget.

Councilor Toroney requested that the District Court reimbursement issue be listed for discussion at the next Safety Committee Meeting.

b. Fire Department – Fire Chief Richard Lengel reviewed the Fire Department's budget noting that each of the four Fire Departments have requested an increase in allotment from \$170,000 to \$185,000.

c. Economic Development – Jim Fairchild was present to review the Economic Development Department's proposed budget noting that the increase in the Director's wages would be due to the overlap with the new director and his own salary.

An additional budget meeting will be scheduled and advertised as soon as possible.

## ADJOURNMENT

The meeting adjourned on motion by Councilor Toroney at 9:02 p.m.

Attested,

Raymond W. Lopez  
Borough Manager