

January 12, 2009

POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, December 8, 2008 at 7:00 p.m. in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, Pennsylvania, with President Garner in the Chair.

INVOCATION

The invocation was provided by Bishop Everett Debnam.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilors present were Mark Gibson, Maureen Allen, Michael Wenzel, Stephen Toroney, Greg Berry, Jody Rhoads and David Garner. Also present were Mayor Sharon Thomas, Solicitor Charles Garner, Borough Manager Raymond Lopez and Borough Secretary Virginia Takach.

APPROVAL OF MINUTES

a. Council Meeting - Motion by Councilor Berry, seconded by Councilor Toroney to approve the December 8, 2008 Council Meeting minutes as presented. Motion carried: 7 ayes.

b. Budget Meeting - Motion by Councilor Allen, seconded by Councilor Gibson to approve the December 16, 2008 Budget Meeting minutes as presented. Motion carried: 7 ayes.

c. Adjournment Meeting – Motion by Councilor Wenzel, seconded by Councilor Allen to approve the December 29, 2008 Adjournment Meeting minutes as presented. Motion carried: 7 ayes.

COMMENTS FROM CITIZENS PRESENT

a. Jerry Stick, 237 Master Street – reiterated his question regarding supervisors at the Water Treatment Plant and the ratio to the number of union workers and requested a response be provided. Mr. Stick also commented on the part-time employees stating that he had an agenda for the meeting discussion and suggested that a member of Council be considered to attend Labor/Management meetings and also requested a response to this matter.

b. Michael Wilcox, 1424 Sunset Drive – referred to his letter to Council to be considered for the Blighted Property Review Committee, the Shade Tree committee and the Vacancy Board.

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c. Newstell Marable, President NAACP – reiterated his concern that Borough Council did not conduct public meetings regarding the Ricketts Center and expressed his concern in the manner the employees were released on December 31st.

Cynthia Wallace and Herman Sims, 454 Walnut Street – forfeited their three minutes to Mr. Marable in order for him to continue speaking.

Mr. Marable also noted that the employees were not provided their final checks along with their letters of termination.

d. Thomas Hylton, 222 Chestnut Street – requested additional time to speak on behalf of the Pottstown Planning Commission.

Councilor Toroney moved to suspend the rules to allow Mr. Hylton more than three minutes. Councilor Wenzel seconded the motion and the motion carried: 4 ayes, 3 nays. Councilor Allen, Gibson and Rhoads cast negative votes.

Mr. Hylton provided a brief history on the Manatawny Village Project and reviewed the correspondence leading to the request to demolish the home located at 548 Manatawny Street. He also commented on the value and historic value of the home and stated that it may be the fourth oldest home in the Borough. He added that it would be detrimental to the Borough to demolish this home. Mr. Hylton advised that an evaluation of the building could be done in one week if an architect would be permitted inside the home.

e. Marta Kiesling, Director TriCounty Performing Arts Center - 245 East High Street – requested that the TriPAC be considered as a top priority for a Montgomery County Revitalization Grant submission in the amount of \$400,000. She also requested consideration for an extension of the temporary drop off zone listed on the agenda. Ms. Kiesling also confirmed that the TriPAC would be responsible for the matching funds for the grant.

f. Wesley Sessa, 1226 Warwick Furnace – agreed with the comments of Mr. Hylton and spoke of the benefits and value of the historic home at 548 Manatawny Street and stated he would provide profession services pro-bono.

g. Heidi Rosato, 3380 Coventryville Road – agreed that the home is too valuable to demolish.

h. Everett Debnam, 79 North Hanover Street – expressed disapproval towards Council and management in the handling of the former Ricketts Center employees and the lack of management presence during the dismissal on December 31st. Bishop Debnam also questioned the qualifications required to be an employee of the Olivet Boys and Girls Club.

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President Garner responded that he is not aware of the qualifications.

i. David Specht, Manatawny Village – stated that the proposed Assisted Living Facility would not be possible without the demolition of the home at 548 Manatawny Street. He advised that the Facility would bring additional tax revenue to the School District and the Borough.

j. Keith Lacey, 385 Lincoln Avenue – spoke as a former employee of the Ricketts Center, stating that he does not see any care or concern from management or Council regarding the Center or the employees. He added that the employees were told they would have a meeting or receive a letter, which never happened.

k. Aram Ecker, 21 Winding Street – requested Council’s consideration to be reappointed to the Pottstown Borough Authority.

l. Bonnie Heath, Feist Avenue – stated that the number one factor to entice people to visit is historic places and urged Council to not approve the demolition of the home at 548 Manatawny Street.

MAYOR’S REPORT

Mayor Thomas spoke regarding both views of the demolition of the home at 548 Manatawny Street. She added that she confirmed that the home was not part of the proposed Assisted Living Facility. The Mayor also noted that the decision to allow an organization to run the Ricketts Center was a fiscal decision not an emotional one, adding that many churches and other organizations provide after school activities for children.

Mayor Thomas also announced the Santillo Award to be presented to Officer Michael Long for outstanding service to the community. The Mayor also urged Council to support a new energy plan, *Repower America*, to benefit the environment.

BOROUGH MANAGER’S REPORT

Manager Lopez advised that he would be holding another Open Records training on an evening in February. He added that a policy for banners and planters is being considered for downtown. Mr. Lopez advised that he participated in the Early Intervention Meetings, a Fire Company and Fire Police meeting and a meeting with the Redevelopment Authority of Montgomery County. He also announced a public hearing session to allow comments regarding the elimination of fluoride in the water. The meetings will be held January 28th at 9:00 a.m., 2:00 p.m. and 6:00 p.m.

Mr. Lopes advised that he has met with TriCounty Chamber of Commerce and PAID to ensure the continuation of the Strategic Plan and to oversee the Economic Development of the Borough. He also noted that he would be attending a meeting with Norristown Manager David Forrest for a new initiative called “First Suburbs” and provided a handout regarding the project.

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COMMITTEE REPORTS

- a. Library – Councilor Allen noted there was no meeting in December.
- b. Human Relations – Mayor Thomas noted there was no quorum for the last meeting. The Commission sent its appreciation for the Philadelphia State Human Relations Commission and representatives of the Equal Opportunities Employment. The Mayor added that the Commission is working on a new logo, the No Place for Hate project and Latin Night.
- c. PDIDA – Mr. Haley reported that the office will be moving to 139 High Street in order to be more visible to the public. He also noted that plans for the Fall Celtic Festival are underway. Mr. Haley also noted that there has been discussion regarding a parking garage in the downtown.
- d. Cable – There was no meeting.
- e. COG – President Garner advised that the next meeting is January 13th in New Hanover Township.
- f. EAC – Councilor Toroney advised that the Council will continue with its efforts on the trash committee.
- g. Regional Planning – Councilor Toroney requested that either the Manager or Assistant Borough Manager be appointed as an attendee of these meetings.
- h. Blighted Property Review – Solicitor Garner advised that the next meeting is January 22nd, 3:30 p.m.
- i. Ricketts Center – Assistant Manager Bobst noted this matter is listed on the agenda.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. Albert Shaulis – Motion by Councilor Wenzel, seconded by Councilor Toroney to adopt a Resolution recognizing Albert A. Shaulis for over 19 years of Service to the Borough of Pottstown.

RESOLUTION NO. 2009– 1
RECOGNIZING ALBERT A. SHAULIS FOR 19+ YEARS OF DEDICATED
SERVICE TO THE BOROUGH OF POTTSTOWN

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WHEREAS, Albert A. Shaulis has served the Borough of Pottstown as a dedicated employee since 1989; and

WHEREAS, during his career with the Borough he served in the capacity of a Supervisor in the Streets Division of the Public Works Department; and

WHEREAS, Al's presence at Borough Hall and the Borough Garage will be truly missed by the people that have worked with him.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Town Council that Albert A. Shaulis is officially recognized for the outstanding service he has provided the Borough of Pottstown through 19+ years of employment; and further that he is extended best wishes for a happy and well-deserved retirement.

Adopted at Pottstown Borough Hall, 100 East High Street, this 12th day of January 2009.

Motion carried: 7 ayes.

b. Tax Claim Bureau – Motion by Councilor Wenzel, seconded by Councilor Berry to adopt a Resolution directing the Montgomery County Tax Claim Bureau to not collect Delinquent Real Estate Taxes on behalf of the Borough of Pottstown.

RESOLUTION NO. 2009– 2

RESOLUTION DIRECTING MONTGOMERY COUNTY TAX CLAIM BUREAU NOT TO COLLECT DELINQUENT REAL ESTATE TAXES ON BEHALF OF THE BOROUGH

WHEREAS, the Borough of Pottstown is authorized to collect delinquent taxes pursuant to the Municipal Claims and Tax Liens Act, 53 P.S. Section 7101 et seq., as amended (the “Act”); and

WHEREAS, the Borough of Pottstown has determined that it is in the best interest of all taxpayers and other residents to have vigorous enforcement of all delinquent and other unpaid charges, utilizing the procedures set forth in the Act; and

WHEREAS, the Borough of Pottstown has contracted with a third party collector for the collection of delinquent real estate taxes for the year 2008, utilizing the procedures set forth in the Act; and

WHEREAS, the Montgomery County Tax Claim Bureau is an agent of the Borough of Pottstown as per 72 P.S. Section 5860.208 of the Real Estate Tax Sale Law (RETSL); and

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY BOROUGH OF POTTSTOWN AS FOLLOWS:

1. The Borough of Pottstown declares that it is collecting the delinquent real estate taxes for the year 2009 utilizing the procedures set forth in the Act, exclusively and independently of any other statute governing the collection of taxes, including the act of July 7, 1947 (P.L. 1368, No. 542), known as the “Real Estate Tax Sale Law” and independent of any county tax claim bureau.
2. The Borough of Pottstown directs the Montgomery County Tax Claim Bureau not to take any action to collect the delinquent real estate taxes for the 2009 tax year.

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Furthermore, the Borough of Pottstown directs the Montgomery County Tax Claim Bureau not to incur any costs or liabilities for said delinquent taxes.

3. Related Action. The proper officials of the Borough of Pottstown are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Resolution.

DULY ORDAINED AND ENACTED BY BOROUGH OF POTTSTOWN ON
JANUARY 12, 2009.

Motion carried: 7 ayes.

c. Temporary Drop-off Zone – Motion by Councilor Wenzel, seconded by Councilor Berry to adopt a Resolution extending the temporary drop-off zone in the 200 block of High Street, north side, for a period of 90 days.

RESOLUTION NO. 2009- 3

A RESOLUTION OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN SUSPENDING AND MODIFYING THE ENFORCEMENT OF CERTAIN PARKING REGULATIONS ON A CERTAIN PORTION OF THE 200 BLOCK OF THE NORTH SIDE OF HIGH STREET TO ESTABLISH FOR A DROP OFF/LOADING ZONE.

WHEREAS, Section 105, Experimental Regulations, of Chapter 15, Motor Vehicles and Traffic, of the Code of Ordinances of the Borough of Pottstown, permits Borough Council, by Resolution, to establish certain parking regulations on a temporary basis not to exceed ninety (90) days; and,

WHEREAS, such regulations, prohibitions or restrictions for such parking are considered to be effective and enforced as such as though enacted by Ordinance; and,

WHEREAS, it is the desire of the Burgess and Town Council of the Borough of Pottstown to enact by Resolution temporary parking regulations for the 200 block of the North Side of High Street to establish a temporary drop off/loading zone.

NOW, THEREFORE, BE IT ENACTED AND RESOLVED by the Burgess and Town Council of the Borough of Pottstown as follows:

1. As permitted by Section 105 of Chapter 15, Motor Vehicles and Traffic, of the Code of Ordinances of the Borough of Pottstown, as amended, existing parking regulations established in the area specifically described in subsection 2 below are hereby temporarily suspended.

2. As permitted in Section 105 of Chapter 15, Motor Vehicles and Traffic, of the Code of Ordinances of the Borough of Pottstown, as amended, a temporary drop-off zone/loading/unloading is hereby established as permitted in Section 407 of the Ordinance:

STREET	LOCATION
High Street (North Side)	From a Point 52' East from the apex of the Northeast corner of High and Penn Street to a point 160 feet from the apex of the Northeast corner of High and Penn Street. (Total length of 108')

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3. This Resolution shall become effective on February 1, 2009, and shall expire April 30, 2009, unless further action by Borough Council through a subsequent Resolution or Ordinance is taken.

Bill Haley, Main Street Manager, commented that it was the consensus of the Board to allow regular parking from 8:00 a.m. to 5:00 p.m. and otherwise allow the drop-off zone to accommodate the TRIPAC. He added that it would be the responsibility of TRIPAC to report violators.

Chief Flanders added that any violators would be dealt with through the Police Department.

President Garner suggested that the thought process was to gather data after a 90-day period and noted that through additional circumstances the data has not yet been compiled and recommended a 90-day time extension.

President Garner requested a roll-call vote.

Allen	no	Rhoads	yes
Berry	yes	Toroney	no
Garner	yes	Wenzel	yes
Gibson	no		

Motion carried: 4 ayes, 3 nays.

d. Revitalization Projects – Motion by Councilor Gibson, seconded by Councilor Rhoads to submit the Performing Arts Center project as a third priority for the Montgomery County Revitalization Projects.

Assistant Manager Bobst commented that funding from PennDOT is available for the Hanover Street Bridge and it would be Staff's recommendation to submit the Hanover Street Bridge, Homeownership Initiative and the Performing Arts Center and to allow the Western Gateway to be postponed until next year.

Councilor Gibson withdrew his motion along with Councilor Rhoads second.

e. Revitalization Projects – Motion by Councilor Gibson, seconded by Councilor Toroney to submit the following three projects in no particular order to the Montgomery County Community Revitalization Board.

1. Hanover Street Bridge
2. Homeownership Initiative
3. Performing Arts Center

Motion carried: 6 ayes. 1 nay. Councilor Allen cast the negative vote.

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f. Performing Arts Center – Motion by Councilor Berry, seconded by Councilor Toroney to submit the TriCounty Performing Arts Center to the Montgomery County Revitalization Board and prioritize as second.

President Garner requested a roll-call vote.

Allen	no	Rhoads	yes
Berry	yes	Toroney	yes
Garner	yes	Wenzel	yes
Gibson	yes		

Motion carried: 6 ayes, 1 nay.

g. Hanover Street Bridge – Motion by Councilor Berry seconded by Councilor Gibson to approve the submission of the Hanover Street Bridge project to the Montgomery County Community Revitalization Board and prioritize as third.

President Garner requested a roll-call vote.

Allen	yes	Rhoads	yes
Berry	yes	Toroney	yes
Garner	yes	Wenzel	yes
Gibson	yes		

Motion carried: 7 ayes.

h. Homeownership Initiative – Motion by Councilor Berry, seconded by Councilor Gibson to approve the submission of the Homeownership Initiative project to the Montgomery County Community Revitalization Board and prioritize as first. Motion carried: 7 ayes.

i. 140 College Drive – Motion by Councilor Gibson, seconded by Councilor Wenzel to approve and execute an Agreement of Sale between the Borough of Pottstown and the Montgomery County Community College for the property located at 140 College Drive in a form acceptable to the Borough Manager and Borough solicitor. Motion carried: 7 ayes.

j. Open Space/Small Parks – Motion by Councilor Wenzel, seconded by Councilor Toroney to adopt a Resolution accepting the terms and conditions of a Montgomery County Open Space Grant for improvements to six parks within the Borough.

RESOLUTION NO. 2009– 4

A RESOLUTION OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN ACCEPTING THE TERMS AND CONDITIONS OF A MONTGOMERY COUNTY OPEN SPACE GRANT TO FUND THE IMPROVEMENT

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OF SIX PARKS SITUATED WITHIN THE BOROUGH. (RICKETTS COMMUNITY CENTER, MAPLE STREET PARK, TERRACE LANE PARK, WEST & WASHINGTON STREET PARK, SOUTH STREET PARK AND CHERRY STREET PARK.

Whereas, THE Burgess and Town council of the Borough of Pottstown has prepared and previously approve a comprehensive Open Space Plan dated September 2006, which has been reviewed and approved by Montgomery County; and

WHEREAS, the Borough of Pottstown seeks to utilize various funding for open space projects that have been allocated to it from Montgomery County through the Montgomery County Open Space Board; and

WHEREAS, the Burgess and Town Council of the Borough of Pottstown seeks to authorize the Borough Manager and the Parks and Rec. Director to execute the conditions of the grant as outlined in the County Resolution dated December 11, 2008 acknowledging the approval and award of the grant.

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Burgess and Town Council of the Borough of Pottstown as follows:

SECTION 1. The Burgess and Town Council of the borough of Pottstown seeks to authorize the Borough Manager and the Parks and Rec. Director to utilize the acquired funding to execute the planned improvements under the conditions outlined in the award of this grant.

- A. Two Hundred Fifty Thousand Dollars, (\$250,000) to be utilized for upgrades and site improvements to six Borough parks, Terrace Lane Park, Cherry Street Park, South Street Park, Ricketts Community Center, Maple Street Park, West and Washington Street Park, with ADA accessibility and safety improvements.

SECTION 2. The appropriate officers of the Borough are hereby authorized to execute all necessary documents set forth in the terms and conditions of the grant award.

ENACTED AND RESOLVED this 12th day of January 2009.

Motion carried: 7 ayes.

k. Ricketts Center/Olivet Boys & Girls Club – Motion by Councilor Berry, seconded by Councilor Gibson to approve and execute an Operation and Maintenance Agreement with the Olivet Boys and Girls Club with respect to the Ricketts Center.

Councilor Toroney questioned the policy of Olivet to not allow adults to be present while youth programs are being conducted.

Mr. Bobst responded that a Community Advisory Board is to be established to determine the needs of the community. He also addressed several comments such as the concern to allow the name of the Center to remain as Ricketts.

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Solicitor Garner added that adult programs would run between 11:00 a.m. – 2:30 p.m. He also noted that he is expecting clarification on the matter of allowing adults in the building at other designated times.

Motion by Councilor Gibson, seconded by Councilor Toroney to suspend the rules to allow Johnny Corson to speak. Motion carried: 7 ayes.

Mr. Corson commented that he presently attends the Center as a family as was initially part of The Hill School's plan for families and youth. He added that the policy of Olivet would go against this directive of the Hill School.

Motion by Councilor Wenzel, seconded by Councilor Toroney to suspend the rules to allow Newstell Marable to speak.

Allen	yes	Rhoads	yes
Berry	no	Toroney	yes
Garner	no	Wenzel	yes
Gibson	yes		

Motion carried: 5 ayes, 2 nays.

Mr. Marable commented that if an adult is turned away for a need such as the food program because youth are present, then it is not a community center.

Motion by Councilor Rhoads, seconded by Councilor Gibson to allow an unidentified woman speak.

Councilor Rhoads noted that we need to allow these people to be heard.

Councilor Berry commented that this project has been on the table for many months and nothing new has been presented this evening.

President Garner requested a roll-call vote.

Allen	yes	Rhoads	no
Berry	no	Toroney	yes
Garner	no	Wenzel	yes
Gibson	yes		

Motion carried: 4 ayes, 3 nays.

The woman commented that when she questioned the qualifications for applying for a position with Olivet she was told there were no requirements to putting in an application.

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Councilor Rhoads commented that he inadvertently voted in the negative on this motion.

President Garner requested a roll-call vote on the Agreement.

Allen	yes	Rhoads	no
Berry	yes	Toroney	yes
Garner	yes	Wenzel	no
Gibson	yes		

Motion carried: 5 ayes, 2 nays.

l. Animal Ordinance – Motion by Councilor Gibson, seconded by Councilor Rhoads to adopt an Ordinance amending Chapter 2, Animals, to amend certain provisions relating to Animal Nuisance and Keeping of Animals.

ORDINANCE NO. 2057

AN ORDINANCE AMENDING CHAPTER 2, ANIMALS, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO AMEND CERTAIN PROVISIONS RELATING TO ANIMAL NUISANCES AND THE KEEPING OF ANIMALS GENERALLY.

Motion Carried: 7 ayes.

m. Disciplinary Action – Motion by Councilor Gibson, seconded by Councilor Allen to ratify the Mayor’s disciplinary action of the suspension imposed upon a Pottstown Police Officer. Motion carried: 7 ayes

n. EIP – Motion by Councilor Berry, seconded by Councilor Allen to award the Early Intervention Program for a one (1) year contract to Management Partners with a cost of \$67,995.

Councilor Berry read a statement explaining the process and the recommendation of awarding the project to Management Partners. He added that the DCED grant is for \$32,500 and the Borough’s portion would be \$35,995.

Mr. Bobst added that this difference may be lessened through budget transfers and would be approved by the Finance Committee and then brought to Council.

Motion carried: 5 ayes, 2 nays. Councilors Wenzel and Rhoads cast the negative votes.

o. Repower America - Motion by Councilor Wenzel, seconded by Councilor Gibson to forward a letter of the Borough’s support for an initiative by PennEnvironment and forward to President Obama. Motion carried: 7 ayes.

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Councilor Toroney requested that it be included in the letter that this was a unanimous vote.

p. Building Permit Officer – Motion by Councilor Gibson, seconded by Councilor Wenzel to appoint Maria Gerber as the Building Permit Officer as required by the Historic Architectural Review Board Ordinance Amendment. Motion carried: 7 ayes.

q. Demolition of 548 Manatawny Street – Motion by Councilor Toroney seconded by Councilor Wenzel to deny the issuance of a permit to demolish the home at 548 Manatawny Street.

Councilor Rhoads commented that Council has not heard from the two Preservation entities on this matter. He added that buildings can be bought and moved.

President Garner requested a roll-call vote.

Allen	no	Rhoads	no
Berry	no	Toroney	yes
Garner	yes	Wenzel	yes
Gibson	yes		

Motion carried: 4 ayes, 3 nays.

r. LED signs – Motion by Councilor Toroney, seconded by Councilor Berry to authorize the Solicitor to prepare and advertise a Public Hearing to allow an amendment to the Zoning Ordinance regulating the use of Electronic Message Signs (LED) and to specifically exclude score boards, theater marquees and speed enforcement and emergency signs.

Solicitor Garner commented that he would address time and temperature notices in the Ordinance.

Motion carried: 7 ayes.

s. 533 Lincoln Avenue – Motion by Councilor Toroney, seconded by Councilor Wenzel to grant request of Danielle and Jeremy Luetgen, 533 Lincoln Avenue, for approval of a fence, encroaching the Borough's right of way, subject to execution of a Release and Hold Harmless Agreement in a form acceptable to the Borough.

Motion carried: 7 ayes.

t. Deed Recording Repeal – Motion by Councilor Berry, seconded by Councilor Gibson to authorize the Solicitor to prepare an Ordinance to repeal Ordinance No. 1919, adopted April 9, 2001 and Ordinance No. 2009, adopted October 11, 2005, requiring the approval of the Borough prior to Deed Recording Registrations.

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Motion carried: 7 ayes.

u. Noise Ordinance – Motion by Councilor Gibson, seconded by Councilor Wenzel to advertise the Noise Ordinance. Motion carried: 7 ayes.

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

- a. 24 North Charlotte Street
- b. 728 High Street

Motion carried: 7 ayes.

w. Blighted Property Review – Motion by Councilor Rhoads, seconded by Councilor Wenzel to appoint Mark Gibson, Dan Weand and Michael Wilcox to the Blighted Property Review Committee for a one (1) year term to expire December 31, 2009.

Councilor Gibson commented that Bill Sharon would be an asset to this committee.

Solicitor Garner advised that Mr. Sharon presently attends the meetings and although not a voting member he does provides input.

President Garner suggested reappointing Cheryl Chiarello as a voting member.

President Garner requested a roll-call vote.

Allen	no	Rhoads	yes
Berry	no	Toroney	no
Garner	no	Wenzel	yes
Gibson	no		

Motion denied: 5 nays, 2 ayes.

x. Blighted Property Review – Motion by Councilor Gibson, seconded by Councilor Berry to appoint Dan Weand, Cheryl Chiarello and Mark Gibson to the Blighted Property Review committee for one-year terms to expire December 31, 2009.

President Garner requested a roll-call vote.

Allen	yes	Rhoads	no
Berry	yes	Toroney	yes
Garner	yes	Wenzel	yes
Gibson	yes		

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Motion carried: 6 ayes, 1 nay.

y. Cable Commission – Motion by Councilor Gibson, seconded by Councilor Rhoads to appoint Jeffrey Leflar to the Cable Commission to fill a vacant term to expire June 1, 2011. Motion carried: 7 ayes.

Vice President Berry assumed the Chair.

z. Pottstown Borough Authority – Motion by Councilor Toroney, seconded by Councilor Gibson to appoint Aram Ecker to the Pottstown Borough Authority for a five (5) year term to expire January 1, 2014.

Vice President Berry requested a roll-call vote.

Allen	yes	Rhoads	no
Berry	yes	Toroney	yes
Garner	abstained	Wenzel	no
Gibson	yes		

Motion carried: 4 ayes, 2 nays, 1 abstention.

President Garner resumed the chair.

aa. PDIDA – Motion by Councilor Berry, seconded by Councilor Gibson to appoint John Armato and Brian Patrick to the Pottstown Downtown Improvement District Authority for five (5) year terms to expire January 1, 2014.

There was a brief discussion regarding the requirements of being a member of the PDIDA board.

Solicitor Garner agreed to review the Ordinance.

Councilor Toroney motioned to table this matter until the February meeting. Councilor Gibson seconded the motion and the motion carried: 7 ayes.

ab. Shade Tree Commission – Motion by Councilor Rhoads, seconded by Councilor Toroney to appoint Michael Wilcox to the Shade Tree Commission for a two (2) year term to expire January 1, 2011.

Councilor Gibson suggested giving Ms. Sweeney another opportunity to serve on the Shade Tree Commission.

President Garner requested a roll call vote.

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Allen	no	Rhoads	yes
Berry	no	Toroney	yes
Garner	no	Wenzel	yes
Gibson	no		

Motion denied: 4 nays, 3 ayes.

ac. Shade Tree Commission – Motion by Councilor Gibson, seconded Berry to appoint Sherry Sweeney to the Shade Tree Commission for a two (2) year term to expire January 1, 2011.

President Garner requested a roll call vote.

Allen	yes	Rhoads	no
Berry	yes	Toroney	no
Garner	yes	Wenzel	yes
Gibson	yes		

Motion carried: 5 ayes, 2 nays.

ad. Vacancy Board – Motion by Councilor Rhoads, seconded by Councilor Wenzel to appoint Michael Wilcox to the Vacancy Board for a one-year term to expire December 31, 2009.

President Garner requested a roll call vote.

Allen	no	Rhoads	yes
Berry	no	Toroney	yes
Garner	no	Wenzel	yes
Gibson	yes		

Motion carried: 4 ayes, 3 nays.

ae. Zoning Hearing Board – Motion by Councilor Wenzel, seconded by Councilor Toroney to adopt a Resolution appointing Robert Johnson as a member of the Zoning Hearing Board for a three (3) year term and appointing David Schwab as the Alternate Member of the Zoning Hearing Board for a three (3) year term to expire January 1, 2012.

RESOLUTION NO. 2008 – 5

A RESOLUTION APPOINTING ROBERT JOHNSON AS A MEMBER OF THE POTTSTOWN BOROUGH ZONING HEARING BOARD FOR A TERM OF THREE (3) YEARS AND APPOINTING DAVID SCHWAB AS AN ALTERNATE MEMBER OF THE ZONING HEARING BOARD FOR A TERM EXPIRING JANUARY 1, 2012.

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WHEREAS, Article IX of the Pennsylvania Municipalities Planning Code and Section 901 of the Pottstown Borough Zoning Ordinance authorizes Borough Council to appoint, by Resolution, members of the Pottstown Borough Zoning Hearing Board.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, as follows:

1. Robert Johnson is hereby appointed to the Pottstown Borough Zoning Hearing Board for a three (3) year term, expiring January 1, 2012.
2. David Schwab is hereby appointed to the Pottstown Zoning Hearing Board as an alternate member for a three (3) year term, expiring January 1, 2012.
3. That said alternate member shall participate in all proceedings of the Pottstown Borough Zoning Hearing Board to the same and full extent as provided by law when authorized to act as a voting member.

President Garner requested a roll-call vote.

Allen	yes	Rhoads	yes
Berry	yes	Toroney	yes
Garner	yes	Wenzel	yes
Gibson	yes		

Motion carried: 7 ayes.

af. Regional Planning – Motion by Councilor Toroney, seconded by Councilor Gibson to appoint Raymond Lopez as an alternate member of the Regional Planning Committee along with Councilor Toroney, to allow Mr. Lopez to be a voting member in Councilor Toroney's absence. Motion carried: 7 ayes.

REPORT OF BILLS

Motion by Councilor Berry, seconded by Councilor Wenzel to pay the outstanding bills in the amount of \$1,844,609.78. Motion carried: 7 ayes.

ANNOUNCEMENTS

President Garner reminded the members of the Councilors' Workshop scheduled for Saturday, January 24th, 7:30 a.m. at the North Hall, Montgomery County Community College.

ADJOURNMENT

The meeting adjourned at 9:35 p.m. on motion by Councilor Gibson.

Submitted by

Raymond W. Lopez, Borough Manager