

April 7, 2010

COMMITTEE OF THE WHOLE MEETING

The April 7, 2010 Committee of the Whole meeting was called to order at 6:30 p.m. by President Toroney in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, PA.

ATTENDANCE

Councilors present were Mark Gibson, Maureen Allen, Jeff Chomnuk, Stephen Toroney, Dan Weand, Jody Rhoads and Joseph Kirkland. Also present were Mayor Bonnie Heath, Solicitor Charles Garner, Borough Manager Jason Bobst and Borough Secretary Virginia Takach.

CONDITIONAL USE HEARING – SMILING FACES CHRISTIAN LEARNING CENTER – Octavia Durham, 571 Jefferson Avenue

Solicitor Garner opened a Conditional Use Hearing at the request of applicant Octavia Durham to permit a childcare facility at 571 Jefferson Avenue and entered several items into evidence.

Ms. Durham testified as to the use, hours and specifics of the day care operation. She ensured that the present facility at 507 North Adams Street would cease operation.

The hearing closed at 6:50 p.m.

CONDITIONAL USE HEARING – POTTSTOWN BIBLE CHURCH, Dr. John Applebach, 16 North York Street

Solicitor Garner opened a Conditional Use Hearing at the request of Dr. John Applebach, to operate a church office on the first floor of property at 16 North York Street.

Dr. Applebach testified that this would simply be used as a church office, with no client based or social services provided in the office.

The hearing closed at 7:00 p.m.

INVOCATION

The invocation was provided by Dr. John Applebach.

SUBCOMMITTEE REPORTS

a. Finance & Administration – Councilor Weand reported that discussions continued regarding collecting accounts receivable and review of the Portnoff agreement. He noted that all bills over 75 days old would go to Portnoff. He added that the committee continues to review the top 50 receivables and top 50 vendors. Councilor Weand also advised that the committee would

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be working with the School District to challenge assessment appeals. He added that at the next meeting he would provide information on the ISO 9000 Certification.

b. Infrastructure – Councilor Rhoads advised that the Codes information hot line is on line. He added that Mr. Bobst is working with Montgomery County Community College and the Mercury on an update and joint communication of the websites. Councilor Rhoads also reported that the numerous illegal dumps would be addressed and coordinated with the Codes and Police Departments. He added that a review of the problem properties is being addressed with the District Attorney’s office.

c. Public Safety – Councilor Gibson reported that there was no meeting. He referred to a memorandum regarding the number of handicapped spaces indicating 85 spaces in the Borough as of 2004. He also provided information on the April 17th Clean Up event.

d. Economic Development & Business Liaison – President Toroney noted that the Memorandum of Understanding would be discussed later on the agenda.

Councilor Weand added that a meeting was held with Orix Company regarding a proposal for the reuse of the former Giant shopping center with further information to follow.

e. Transportation – There was no meeting. Mr. Bobst added that the Train Station Canopy project is listed on the agenda for discussion. He added that two new buses were purchased through the Stimulus funds and may have a use of the older buses in conjunction with the College. Mr. Bobst also advised that construction would resume on the Runway Lighting and Vault project at the Airport.

f. Ricketts Community Center – A report was provided in the packets.

g. Pottstown Borough Authority – There was no report. President Toroney noted that a meeting of the Executive Boards is scheduled for April 21st.

CLARA P. HOSS

Motion by Councilor Allen, seconded by Councilor Chomnuk to adopt a Resolution recognizing Clara P. Hoss for 50 years at the Pottstown Public Library.

RESOLUTION NO. 2010 - 5

A RESOLUTION RECOGNIZING CLARA P. HOSS FOR FIFTY YEARS OF DEDICATED SERVICE TO THE POTTSTOWN PUBLIC LIBRARY

WHEREAS, Clara P. Hoss has faithfully and diligently served the Pottstown Public Library in numerous capacities continuously since April 1960; and

WHEREAS, Clara Hoss, as a student at Boyertown High School, became a volunteer at the Pottstown Public Library then located at 415 High Street; and

WHEREAS, through her conscientious efforts and enthusiastic personality, Clara was offered a paid position in May 1960 at the rate of fifty cents per hour and was lawfully employed as a “Page” at the Pottstown Public Library; and

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WHEREAS, in June 1961, upon graduation from the Boyertown High School, Clara was offered a position by Director Harold Jenkins as "Clerk Librarian" at the Pottstown Public Library, being one of the first Library staff to hold a professional title; and

WHEREAS, Clara has respectfully and honorably served the Pottstown Public Library under thirteen Directors, three Acting Directors, countless residents and patrons and a few generations; and

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

WHEREAS, this celebration should reflect and recognize the contribution of Clara P. Hoss to the Borough of Pottstown and the Pottstown Public Library.

NOW, THEREFORE, BE IT RESOLVED, that the Burgess and Town Council of the Borough of Pottstown honor and rejoice in the celebration of Clara P. Hoss for fifty years of service.

ENACTED AND RESOLVED by the Pottstown Borough Council in a public meeting this 7th day of April, A.D. 2010.

Mayor Heath read and presented the Resolution to Ms. Hoss in the presence of her family and Library staff members.

Motion carried: 7 ayes.

PRESENTATION – JEFF PALMER, OLIVET BOYS & GIRLS CLUB

Jeffrey Palmer, President and CEO, of the Olivet Boys & Girls Club, provided the annual report for the operations of the Ricketts Center. He advised that through several grants, additional hours and programs had been added to the Community Center.

Councilor Gibson requested that Councilor Kirkland be appointed as the Council liaison for the Ricketts Center, being in the seventh ward.

INTERGOVERNMENTAL COOPERATIVE IMPLEMENTATION AGREEMENT AMENDMENT

Solicitor Garner explained the requirement for approval of the Regional Plan amendment. He recommended that a resolution be listed for Monday's agenda along with authorization to prepare the required Ordinance amending the definition of regional consistency.

EIP REPORT

Manager Bobst provided a report of the June 2009 EIP recommendations. He noted that 78 out of the 122 recommendations have been addressed or implemented. Mr. Bobst added that quarterly reports would be provided to Council. He added that when the 2009 audit is complete, a presentation will be scheduled for the May or June meeting.

PAID – MEMORANDUM OF UNDERSTANDING

President Toroney reported that the process of the Memorandum of Understanding began in October with the Urban Land Institute (ULI) study recommendations. He referred to the draft Memorandum provided to Council.

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Solicitor Garner explained the definition and propose of the Memorandum. He advised that the MOU endorsed or supports general concepts of various groups. This MOU is among the School District, the Borough, PAID and the Montgomery County Redevelopment Authority, which would continue to evolve and move forward.

Councilor Kirkland expressed a concern that there is no accountability established in the Agreement. He suggested that the group be accountable to Council as elected officials.

Mr. Bobst advised that as the Borough's representative, the top four priorities are the redevelopment of the Keystone Opportunity Zone and the former Bethlehem Steel site, support the arts and the housing on the former Mrs. Smith's site.

After a brief discussion, Solicitor Garner suggested defining certain paragraphs to ascertain that Mr. Bobst is the designated entity as the representative of Borough Council, along with the stated representatives of the other parties. He also agreed to amend paragraph 11 to clarify that the parties' ability, powers and duties are as related to the entity.

Councilor Kirkland motioned, seconded by Councilor Weand, to approve and authorize the execution of the Memorandum of Understanding involving the Borough, the School District, Pottstown Area Industrial Development and the Montgomery County Redevelopment Authority with terms of the MOU to include provisions to clarify the relationship of the members of the Board as related to the Parties as well as clarifying and expanding Paragraph 11 with respect to the Agreement's ability to not restrict or limit the powers of the Borough, the School District and the County, the final form subject to the review of the Borough Manager and the Borough Solicitor.

President Toroney opened a public hearing at 8:30 p.m.

a. Herman Sims, 454 Walnut Street – questioned if the order of priorities would come before Council.

Mr. Bobst confirmed that the driving factor is the Borough's Economic Development Plan adopted by Council.

b. Evan Brandt, *The Mercury* – questioned why the TriCounty Chamber of Commerce was no longer one of the parties of the Partnership of the Agreement.

President Toroney responded that the Chamber is based on a tri-county influence and the taxing bodies decided that the Partnership should consist of Pottstown related entities.

President Toroney requested a roll-call vote.

Allen	yes	Rhoads	yes
Chomnuk	yes	Weand	yes
Gibson	yes	Toroney	yes
Kirkland	yes		

Motion carried: 7 ayes.

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ADDITIONAL ITEMS

Information regarding the Municipal Pension Plans, Act 44, and a report of the Stormwater Meeting was provided.

Applications for the Community Development Block Grants (CDBG) and the Department of Conservation and Natural Resources (DCNR) grants were explained.

A review of the bid tabulations for the Bus Terminal project and the Highway Materials were provided, along with the amendment to the Fee Resolution.

Mr. Bobst explained the requests for a waiver of the Memorial Day Parade fees and permission for the Trilogy Park event and the Soap Box Derby races.

Solicitor Garner requested authorization to proceed with an amendment to the Carousel lease and provided a review of the HARB items, a zoning hearing for the Cluster of Churches and a resolution for the Act 537 Plan for Lower Pottsgrove Township.

Mayor Heath requested confirmation of her appointment to the Human Relation Commission.

Solicitor Garner added that a public hearing is scheduled for the regular meeting for the Intergovernmental Cooperative Agreement Amendment along with an Ordinance amendment.

President Toroney advised that these items would be listed on the regular agenda.

No further action was taken at this meeting.

EXECUTIVE SESSION

The meeting adjourned to executive session at 9:25 p.m. for one item each of pending litigation, collective bargaining item and a judicial deliberation matter.

ADJOURNMENT

The meeting adjourned at 10:10 p.m.

Attested,

Jason M. Bobst
Borough Manager