

February 14, 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. Public comments are being accepted through email and chat and will be announced to all. Comments are limited to 300 words to be in compliance with Council's three-minute rule and participants shall be identified accordingly.

CALL TO ORDER

The regular meeting of the Pottstown Borough Council was called to order on Monday, February 14, 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 (virtual), Donald Lebedynsky, Dan Weand and Joseph Kirkland. Also present were Manager Justin Keller, Solicitor Charles Garner, Mayor Stephanie Henrick (virtual) and Borough Secretary Virginia Takach. Councilors Paules and Lindsay were absent.

APPROVAL OF MINUTES

a. Reorganization - Motion by Councilor Lebedynsky seconded by Councilor Procsal to approve the minutes of the January 3, 2022 Council Reorganization meeting as presented. Motion carried: 5 ayes.

b. Council Meeting – Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to approve the minutes of the January 10, 2022 Council meeting as presented. Motion carried: 5 ayes.

COMMENTS FROM CITIZENS PRESENT

a. Deborah Spence, 153 South Roland Street – reiterated her question regarding how many presentations Genesis Housing had to make prior to being considered for a Land Bank property. She noted she received a response stating that Genesis has presented numerous times in the past and is familiar to the Borough. She stated that it would be detrimental to the Borough not being open to people with whom it is not familiar.

b. Thomas Winterbottom, 262 King Street – questioned the Amtrak bus service and the process for ticketing.

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Mr. Keller advised that he would respond to Mr. Winterbottom. He also reminded that under the Council Rules of Order, responses need not be given at this time.

SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand reported that at the end of December the General Fund revenues stand at 104% and expenses at 93%. The real estate taxes collected are at 102% and local taxes at 121% , based on the 94% collection rate. President Weand advised that the audit is expected to being February 21st. The Borough continues to review under-assessed properties with the School District and Portnoff collections continue. There were no new LERTA applications.

COMMITTEE REPORTS

- a. EAC – There was no report.
- b. Regional Planning – Council Procsal advised that large projects were discussed, including the New Hanover Township residential project to also include a hotel and the traffic impact to the area.
- c. Blighted Property Review Committee – There was no meeting
- d. Emergency Services – Chief Hand reported that during the three-night storm, 16 volunteers were staffed at the stations. He acknowledged the death of Jim Smale, a long time firefighter and fire police officer and noted his service to the community for over 40 years. Chief Hand advised that the 150th Anniversary of the Fire company will be honored at the March meeting.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. Master Traffic Ordinance - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to adopt an Ordinance amending the Master Traffic Ordinance creating additional stop intersections.

ORDINANCE NO. 2210

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN, AMENDING § 213, STOP INTERSECTIONS ESTABLISHED, TO CREATE ADDITIONAL STOP INTERSECTIONS PURSUANT TO CHAPTER 15, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED.

Motion carried: 5 ayes.

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b. New-Bee Ranch Lease - Motion by Councilor Kirkland, seconded by Councilor Procsal to approve and authorize execution of a Lease Agreement between the Borough of Pottstown and Rachel Newby d/b/a New-Bee Ranch to lease a portion of the property located at 71 West High Street. Motion carried: 5 ayes.

c. 215 South Washington Street – Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to grant the request of 215 South Washington Street, LLC, to proceed with the necessary roof replacement on the property located at 215 South Washington Street and grant the waiver of Act 90 regulations, subject to the property owner satisfying the following conditions:

- i. A commitment to not sell the property for two (2) years
- ii. Payment of property taxes beginning January 1, 2022

Motion carried: 5 ayes.

d. BASF, 860 Cross Street - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to grant the request of BASF to proceed with improvements to the property located at 860 Cross Street for the purpose of a Borough Park and grant a waiver of the formal Land Development process and to proceed with the issuance of a building permit application in compliance with all Borough ordinances. Motion carried: 5 ayes.

e. Land Bank Policies and Procedures - Motion by Councilor Kirkland, seconded by Councilor Procsal to approve the Pottstown Land Bank Policies and Procedures as approved and adopted by the Land Bank on September 27, 2021. Motion carried: 5 ayes.

f. 707 Hamilton Street - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to approve and authorize execution of a Sales Agreement among the Borough of Pottstown, Genesis Housing and the Pottstown Land Bank for the property located at 707 Hamilton Street, subject to being in a final form acceptable to the Borough Manager and Borough Solicitor.

Mr. Keller commented that there has been no overwhelming interest in the property and will need outside grant money for exterior renovations.

Motion carried: 5 ayes.

g. Montco 2040 - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to adopt a Resolution approving the submission of an application to the MontCo 2040 Implementation Grant Program to provide funding for the Riverfront Streambank Stabilization and Bridge Restoration Project.

RESOLUTION NO. 2022-7

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE 2022 ROUND OF THE MONTCO 2040 IMPLEMENTATION GRANT PROGRAM

Whereas, Montgomery County has established the Montco 2040 Implementation Grant program as a competitive funding program to assist municipalities in implementing the goals of the county comprehensive plan, Montco 2040: A Shared Vision; and

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Whereas, the County is accepting applications for projects that advance specific goals under either of the county comprehensive plan's three themes: Connecting Communities, Sustainable Places, and a Vibrant Economy; and

Whereas, applications and project must meet all stated requirements within the Montco 2040 Implementation Grant Program Guidebook; and

Whereas, the Borough of Pottstown wishes to obtain \$200,000 from the Montco 2040 Implementation Grant Program to provide funding for the Riverfront Streambank Stabilization and Bridge Restoration Project; and

Whereas, the Borough of Pottstown will provide a local match in the amount of \$40,000

Mr. Keller advised that most work would occur in the streambank area with hopes of keeping the bridge open.

Motion carried: 5 ayes.

h. Destruction of Records - Motion by Councilor Kirkland, seconded by Councilor Vanni to adopt a Resolution authorizing the destruction of certain records by the Administration Department, Parks and Recreation, Finance and the Police Department pursuant to the Municipal Records Manual as amended March 28, 2019.

RESOLUTION NO. 2022 – 8

A RESOLUTION OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN, AUTHORIZING THE DESTRUCTION OF CERTAIN MUNICIPAL RECORDS BY THE BOROUGH ADMINISTRATION, PARKS AND RECREATION, FINANCE DEPARTMENT AND POLICE DEPARTMENT, PURSUANT TO THE MUNICIPAL RECORDS MANUAL AS AMENDED MARCH 28.2019.

WHEREAS, by virtue of Resolution No. 2009-24, adopted July 13,2009, incorporation and modifying Resolution No. 2004-36, the Borough of Pottstown declared its intent to follow the schedules and procedures for disposition of records as set forth in the Municipal Records Manual approved December 16, 2008 and as amended March 28,2019; and

WHEREAS, in accordance with the Act 428 of 1968. each individual act of disposition shall be approved by Resolution of the governing body; and

WHEREAS, the Borough of Pottstown, through its Administration Department, Parks and Recreation Department, Finance Department and Police Department have accumulated certain records that no longer need to be retained pursuant to Borough guidelines and the requirements of the Municipal Records Manual; and

WHEREAS, the Burgess and Town Council of the Borough of Pottstown does further authorize the Borough Manager or those designated by the Borough Manager, to destroy the original copies of certain public records in accordance with the aforesaid requirements, formally declaring that said records that are to be disposed of, have no administrative, legal, or historical significances beyond the terms of retention as set forth in the Municipal Records Manual. Video recordings shall be retained for a period of one year. Recordings of public meetings can be disposed of once the official Meeting Minutes are approved. The approved written minutes of each Council Meeting is the official permanent record.

NOW, THEREFORE, BE IT and IT IS HEREBY RESOLVED by the Burgess and Town

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Council of the Borough of Pottstown, and it is hereby ENACTED and RESOLVED by the authority of same as follows:

SECTION 1. The Burgess and Town Council of the Borough of Pottstown hereby approves the following requests to allow for the destruction of municipal records as fully described in Exhibit "A" which is attached hereto and incorporated herein.

SECTION 2. The Borough Departments above described may utilize a third-party contractor for the document shredding and destruction to remove said records under a controlled environment as and when approved by the Borough Manager. At the conclusion of the process, the document shredding and destruction company shall provide to the Borough a Certificate of Destruction.

SECTION 3. All future requests to destroy municipal records pursuant to State Law and Borough policy shall be approved by Resolution enacted by the Borough Council.

ENACTED and RESOLVED and this 14th day of February 2022.

Motion carried: 5 ayes.

i. Janssen Opioid Settlement - Motion by Councilor Lebedynsky, seconded by Councilor Kirkland to approve and authorize execution of the Subdivision Janssen Settlement Participation Form, The Subdivision Distributor Settlement Participation Form and the Pennsylvania Subdivision Intrastate Allocation Participation Form, to participate in the Janssen Opioid Settlement and become a Participating Subdivision. Motion carried 5 ayes.

j. Amtrak Bus Service - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to authorize the Solicitor to prepare an agreement with Amtrak for a Thruway Bus Service, with a stop to be located in Lot #1, (the former Reading Lot) located at 51 South Hanover Street.

President Weand confirmed that this agreement is in no way meant to replace the progress of train service.

Mr. Keller added that Amtrak may track the numbers for ridership but the Borough continues to focus on rail service. This service will be promoted when it launches.

Motion carried: 5 ayes.

k. Sundstrom Baseball Field - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to award the base bid and three (3) Alternates for the Sundstrom Baseball Field Improvement Project to Canadochly Construction, Inc., York, PA in the total amount of \$209,999.76, as per the bid tabulation of February 3, 2022 and subject to review and approval of the Solicitor.

Mr. Keller explained the necessity to move forward with the base bid and recommending to include the three alternate options, which would satisfy the requirement to make the field usable and safe. The total of \$243,000 includes the base bid, the three alternates and \$33,000 for engineering. Mr. Keller added that the excess funds would be provided by the ARPA funds received, not from the Borough budget.

Motion carried: 5 ayes.

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l. Walnut Street Arch – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to award the bid for the 42 Walnut Street Arch Repair Project to JPS Construction, Co., Glenside, PA, in the total amount of \$199,000, as per the bid tabulation of February 3, 2022 and subject to review and approval of the Solicitor . Motion carried: 5 ayes.

m. Construction 707 Hamilton Street - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to award the bid for the Construction Repairs for 707 Hamilton Street to Hydier Builders, Inc., Pottstown, PA, in the amount of \$33,650, as per the bid tabulation of February 4, 2022 and subject to review and approval of the Solicitor. Motion carried: 5 ayes.

n. Manhole Frames and Lids - Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to award the bid for the Manhole Frames and Lids Rehabilitation to Road-Con Inc., West Chester, PA, in the amount of \$64,170, as per the bid tabulation of February 4, 2022 and subject to review and approval of the Solicitor. Motion carried: 5 ayes.

o. Water Pipe, Fittings - Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to award the bids for the Water Pipe, Fittings and Appurtenances to Ferguson, Whitehall, PA, as per the bid tabulation of February 4, 2022 and subject to review and approval of the Solicitor. Motion carried: 5 ayes.

p. Traffic, Street Signs and Posts – Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to award the bids for the Traffic, Street Signs and Posts to Garden State Highway, Millville, NJ, as per the bid tabulation of February 4, 2022 and subject to review and approval of the Solicitor. Motion carried: 5 ayes.

q. Parks & Recreation Equipment – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to award the bids for the Sale of Borough Vehicles and Parks and Recreation Equipment as per the bid tabulation of February 4, 2022 for a total net amount of \$29,908 and subject to review and approval of the Solicitor. Motion carried: 5 ayes.

r. Parks & Recreation Half-Marathon – Motion by Councilor Lebedynsky, seconded by Councilor Kirkland to grant the request of the Parks and Recreation Department to hold its Half Marathon on April 16, 2022, resulting in the closure of College Drive at the intersections of Hanover and High Streets and Keystone Boulevard, from 7:45 a.m. – 11:30 a.m., subject to review and approval of the Police and Fire Departments. Motion carried: 5 ayes.

s. Tiburon 5 K – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to grant the request of the Tiburon Endurance Sports to hold its 5K Road Running Race on May 21, 2022, resulting in the closure of portions of the Circle of Progress, Glasgow , Rice, West Chestnut and Prince Streets, from 10:00 a.m. -11:00 a.m., subject to review and approval of the Police and Fire Departments. Motion carried: 5 ayes.

t. Planning Commission - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to reappoint Jim Derr to the Pottstown Planning Commission for a four-year term to expire February 1, 2026. Motion carried: 5 ayes.

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REPORT OF BILLS – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to pay the outstanding bills in the amount \$2,225,726.61. Motion carried: 5 ayes.

ANNOUNCEMENTS

Councilor Vanni praised the new Lady Liberty Salon in the downtown.

Councilor Lebedynsky noted there will be a presentation from the Efficient Methods Committee for next month.

ADJOURNMENT

President Weand adjourned the meeting at 7:30 p.m.

Submitted by,

Justin M. Keller
Borough Manager