

April 11, 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. All persons wishing to speak during Public Comment, whether participating by GoToMeeting or telephone, must submit their name and address through chat or email at [administration@pottstown.org](mailto:administration@pottstown.org). Requests to speak will be accepted until 7:15pm, at which time chat will be closed, and no further requests for comment will be honored. As always, Public Comment will be limited to three minutes per person.

### CALL TO ORDER

The regular meeting of the Pottstown Borough Council was called to order on Monday, April 11, 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, Donald Lebedynsky, Dan Weand and Joseph Kirkland. Also present were Manager Justin Keller, Solicitor Charles Garner (virtual), Mayor Stephanie Henrick and Borough Secretary Virginia Takach. Councilors Paules and Lindsay were absent.

### APPROVAL OF MINUTES

Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to approve the minutes of the March 14, 2022 Council meeting as presented. Motion carried: 5 ayes.

### MAYOR'S REPORT

Mayor Henrick referred to the report distributed. She outlined the upcoming events through August. She noted that Montgomery County Community College will be celebrating its 25 years in Pottstown on April 21<sup>st</sup>. The Mayor also advised that the Schuylkill River Sojourn will be in Pottstown on June 20<sup>th</sup> and the Schuylkill River Greenways and Take it Outdoors will hold a Ribbon Cutting on May 4<sup>th</sup> in Riverfront Park.

### SUBCOMITTEE REPORTS

a. Finance & Administration – President Weand advised that at 16% of the year, the General Fund revenues received are at 9% and expenses at 13%. The real estate taxes collected are at 1% and local EIT taxes at 25% . He added that the Audit is in process and the Borough continues

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to review under-assessed properties with the School District and Portnoff collections continue at 63.5%. He added that the assessment changes increased by \$380,650. There were no new LERTA applications and the ARPA expenses had no changes since last month.

#### COMMITTEE REPORTS

- a. EAC – There was no report.
- b. Regional Planning – Council Procsal reported that there was a presentation on the proposal for an Authority to oversee Passenger Rail Service.

President Weand requested Council's support in asking the Solicitor and Staff to prepare a letter of support to County representatives to bring passenger rail service to Pottstown.

- c. Blighted Property Review Committee – There will be a meeting in April.

#### COMMENTS FROM CITIZENS PRESENT

- a. Alyson Wildman, 37 West 3<sup>rd</sup> Street – expressed a complaint regarding a parking crisis on her block with 6 - 7 cars, a food truck and a dump truck that never move and take up valuable parking.

Chief Markovich will review and address this situation.

- b. Susan Levan, 38 West 3<sup>rd</sup> Street – complained about the lack of street lights on her block.

Mr. Keller referred to Public Works to address.

- c. Ron Williams, 245 Walnut Street – reminded all of the upcoming PowWow weekend scheduled for April 30<sup>th</sup> and May 1<sup>st</sup>. The organization is now a non-profit and thanked Council for its continued support. He also expressed appreciation for new trees at the Memorial Burial Site on South Franklin and Industrial Highway and reminded all of Earth Day, April 22<sup>nd</sup>.

- d. Jamie Sanchez, Maplewood Drive – announced the Veteran's Standdown event on April 23<sup>rd</sup> at the Veterans' Island for any assistance needed by Veterans. In addition, there will be a Veterans' Island clean-up on April 30<sup>th</sup> with assistance from the Rotary.

#### UNFINISHED BUSINESS

None.

#### NEW BUSINESS

- a. PRESENTATION – LOVE YOUR BLOCK POTTSTOWN – TAMARA CHARLES

Tamara Charles outlined the Love Your Block program for Pottstown in conjunction with Pottstown Community Action for neighborhood beautification. She advised that a grant was received from

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Pottstown Area Health and Wellness Foundation. She also announced the partnership for Block Pottstown mini-grants with Habitat for Humanity, Genesis Housing and Hobart's Run. Ms. Charles advised that the deadline for submission is April 30<sup>th</sup> and the applications are available on-line or in person. Priority for this year will be geared to Wards 1, 2 and 3 and community partners may be able to increase funds. Any questions may be directed through Facebook or at emailed to [pottstowncommunityaction@gmail.com](mailto:pottstowncommunityaction@gmail.com).

b. Conditional Use – Brittany Pool - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to grant the Conditional Use request of Brittany Pool d/b/a Pottstown Medical Massage to establish a message therapy center for property located at 543-545 East High Street. Motion carried: 5 ayes.

c. Conditional Use – Evans Woods – Motion by Councilor Kirkland, seconded by Councilor Lebedynsky to grant the Conditional Use request of Evans Woods Investor Group to improve existing light manufacturing building at property located at 816 – 842 Queen Street. Motion carried: 5 ayes.

d. Zoning Relief – Anne Anderson, 343 East High Street – Councilor Procsal recommended that no Council action be taken and forward to the Zoning Hearing Board for determination.

e. Hill School Turf Field Minor Land Development – Solicitor Garner advised that the Hill School has requested to be removed from Council's agenda and will be listed for the April 20<sup>th</sup> Planning Commission meeting and return to Council at the May meeting.

f. Sewer Ordinance Amendment - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to adopt an Ordinance amending regulations of Chapter 18, Sewers and Sewage Disposal Ordinance

#### ORDINANCE NO. 2211

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING § 201, GENERAL REGULATIONS, AND § 209, ACCIDENTAL DISCHARGE, BOTH OF PART 2, REGULATIONS, AND § 403, INDUSTRIAL USERS, OF PART 4, ADMINISTRATION, ALL OF CHAPTER 18, SEWERS AND SEWAGE DISPOSAL OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED.

Motion carried: 5 ayes.

g. Pandemic Recovery Funds - Motion by Councilor Procsal, seconded by Councilor Vanni to adopt a Resolution authorizing the submission of a grant application to the Montgomery County Recovery: Pandemic Recovery Funds Program for the Riverfront Park Pedestrian Bridge and Embankment Restoration Project, in the amount of \$250,000

RESOLUTION NO. 2022 - 10  
RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE MONTGOMERY COUNTY RECOVERY: PANDEMIC RECOVERY FUNDS PROGRAM

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Whereas, Montgomery County has established the Montgomery County Recovery: Pandemic Recovery Funds program; and

Whereas, Montgomery County will use its Pandemic Recovery Funds to ensure an equitable recovery, given the disproportionate impact of the pandemic and economic crisis on certain demographic groups, neighborhoods and industries over the last two years; and

Whereas, Montgomery County continues to focus on engaging the community to determine local priorities for funds: and

Whereas, the Borough of Pottstown is desirous of submitting an application to the Montgomery County Recovery: Pandemic Recovery Funds Program for the Riverfront Park Pedestrian Bridge and Embankment Restoration Project in the amount of \$250,000.

ENACTED AND RESOLVED, this 11<sup>th</sup> day of April 2022.

Motion carried: 5 ayes.

h. Pandemic Recovery Funds - Motion by Councilor Vanni, seconded by Councilor Lebedynsky to adopt a Resolution authorizing the submission of a grant application to the Montgomery County Recovery: Pandemic Recovery Funds Program for the Stormwater Arch Rehabilitation Project, in the amount of \$8,000,000

RESOLUTION NO. 2022 - 11

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Whereas, Montgomery County has established the Montgomery County Recovery: Pandemic Recovery Funds program; and

Whereas, Montgomery County will use its Pandemic Recovery Funds to ensure an equitable recovery, given the disproportionate impact of the pandemic and economic crisis on certain demographic groups, neighborhoods and industries over the last two years; and

Whereas, Montgomery County continues to focus on engaging the community to determine local priorities for funds: and

Whereas, the Borough of Pottstown is desirous of submitting an application to the Montgomery County Recovery: Pandemic Recovery Funds Program for the Stormwater Arch Rehabilitation Project in the amount of \$8,000,000.

ENACTED AND RESOLVED, this 11<sup>th</sup> day of April 2022.

Motion carried: 5 ayes.

i. Light Up High Street - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to permit PAED to install lights within the Borough right-of-way for its Light-Up High Street Campaign, subject to securing a Release, Waiver and Indemnification Agreement in a form acceptable to the Borough. Motion carried: 5 ayes.

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j. Fixed Base Operator – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to authorize Staff to proceed with the Request for Proposals for the Fixed Base Operator at the Pottstown Municipal Airport. Motion carried: 5 ayes.

k. Paddling Film Festival Biergarten - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to grant the request of the Schuylkill River Greenways to allow the operation of a Biergarten at the 2022 Paddling Film Festival in Riverfront Park, May 21, 2022, (rain date May 22, 2022), 7:30 p.m. - 9:30 p.m., subject to review and approval of the Police and Fire Departments and compliance with the Liquor Control Board regulations. Motion carried: 5 ayes.

l. Hill School Commencement – Motion by Councilor Kirkland, seconded by Councilor Vanni to grant the request of The Hill School to close Beech Street from Sheridan Street to Edgewood Street to hold its commencement exercise on May 28, 2022, between 8:00 a.m. and 4:00 p.m., subject to approval of the Police and Fire Departments.

President Weand noted that this is an annual, routine request.

Motion carried: 5 ayes.

m. Pottstown Rumble Biergarten – Motion by Councilor Vanni, seconded by Councilor Lebedynsky to grant the request of the Pottstown Rumble to allow the operation of a Biergarten in Memorial Park to be held June 24, 25, 26, 2022 from 11:30 a.m. - 12:00 a.m., subject to review and approval of the Police and Fire Departments and compliance with the Liquor Control Board regulations. Motion carried: 5 ayes.

n. GoFourth Street Festival - Motion by Councilor Vanni, seconded by Councilor Procsal to grant the request of the GoFourth Committee to hold its Street Festival on July 4, 2022, resulting in the closure of High Street from 11:00 a.m. - 6:00 p.m., subject to review of the Police and Fire Departments. Motion carried: 5 ayes.

o. GoFourth Biergarten - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to grant the request of the GoFourth Committee to allow the operation of Biergartens on July 4, 2022 in Smith Family Plaza, from 12:00 p.m. – 5:00 p.m. and on July 4, 2022 in Memorial Park, from 6:00 p.m. – 9:00 p.m., subject to review and approval of the Police and Fire Departments and compliance with the Liquor Control Board regulations. Motion carried: 5 ayes.

p. Play Streets - Motion by Councilor Kirkland, seconded by councilor Vanni to grant the request of the Parks and Recreation Department to hold its Play Streets – Community Outreach Program, on June 16, 23, & 30, July 14, 21, 28 and August 11, 2022, and closing various streets in Park areas, from 5:30 p.m. -7:30 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 5 ayes.

q. Reading Gravity Race - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to grant the request of the Reading Gravity Race Club to reschedule its March 13, 2022 event to July 24, 2022, due to inclement weather, and resulting in the closure of Wilson and State Streets from 11:00 a.m. to 6:00 p.m., subject to review of the Police and Fire Departments. Motion carried: 5 ayes.

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r. Police Bid Awards - Motion by Councilor Lebedynsky, seconded by Council Vanni to award the bids for Police vehicles and various equipment as per the bid tabulation of March 29, 2022, resulting in a net total of \$13,421, subject to review and approval of the Solicitor. Motion carried: 5 ayes.

s. Street Paving - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to award the Street Overlay Paving bid to H & K Group, Skippack, PA, as the apparent lowest, responsible and responsive bidder, in the amount of \$844,300, as per the bid tabulation of April 11, 2022, subject to review and approval of the Public Works Department and the Solicitor.

Mr. Keller commented that the bids were close to the budget amount for paving and the bids were in close proximity and competitive.

Motion carried: 5 ayes.

t. HARB Appointments - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to appoint P. Richard Frantz and Richard Bouher to the Historic Architectural Review Board for five (5) year terms to expire April 1, 2027. Motion carried: 5 ayes.

REPORT OF BILLS – Motion by Councilor Lebedynsky, seconded by Councilor Vanni to pay the outstanding bills in the amount \$1,628,139.91. Motion carried: 5 ayes.

#### ANNOUNCEMENTS

Mayor Henrick reported a constituent concern from 423 North York Street regarding water overflowing on her sidewalks.

Mr. Keller noted that constituents should contact Public Works directly.

President Weand announced the King Street Bridge opening on April 14<sup>th</sup>, 2:00 p.m.

#### ADJOURNMENT

President Weand adjourned the meeting at 7:45 p.m.

Submitted by,

Justin M. Keller  
Borough Manager