

January 13, 2020

POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, January 13, 2020 at 7:00 p.m. in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, Pennsylvania, with President Weand in the Chair.

CALL TO ORDER

INVOCATION

President Weand requested a moment of silence.

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilors present were Ryan Procsal, Lisa Vanni, Donald Lebedynsky, Trenita Lindsay, Dan Weand, Michael Paules and Joseph Kirkland. Also present were Manager Justin Keller, Solicitor Charles Garner, Mayor Stephanie Henrick and Borough Secretary Virginia Takach.

APPROVAL OF MINUTES

Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to approve the December 9, 2019 Council meeting minutes as presented. Motion carried: 7 ayes.

COMMENTS FROM CITIZENS PRESENT

a. Jim Lutz, 19 West 7th Street – reiterated his previous concerns regarding the number of dogs at 441 Johnson Street. Mr. Lutz stated there are approximately 10 dogs in the residence and the smell of feces in the yard is unbearable. He added that in Pottstown there are no regulations as to the number of animals allowed in one residence and requested that Council address this matter. Mr. Lutz also noted that the home may not be fit for human habitation.

President Weand advised that Staff would address this matter and contact Mr. Lutz.

b. Eugene Feliciano, 7 West 7th Street – also complained about the condition of 441 Johnson Street. He added that he has been to Court several times on this matter with no positive results.

c. Michael Benner, 359 King Street – introduced himself to the new Council members and requested Council's support to continue to serve on the Pottstown Borough Authority for another five-year term.

SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand advised that the General Fund revenues at

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the end of December were at 109% and expenses at 101%. Taxes received were at 99% with a gage set at 94%. The auditors will be here in the near future. President Weand added that assessments at the end of December decreased to \$2,081,576 since September. He also advised that a new Lerta application has been received.

BOARDS AND COMMITTEE REPORTS

- a. COG – There was no report.
- b. EAC – There was no report.
- c. Regional Planning – There was no meeting.
- d. Blighted Property – Councilor Procsal advised that the September minutes were provided in the packets.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. Presentation – Economic development Report and Fete en Blanc

Ms. Peggy Lee-Clark advised that new announcements will be available next month. She also thanked Evan Brandt for his recent article on the progress and Economic Development in Pottstown for the past year. She also noted that J. J. Rattigan's, 227 East High Street, is open with the kitchen opening by next week. Ms. Lee-Clark also requested Council's consideration for the 4th Annual Fete en Blanc to be held on September 18, 2020 in Smith Family Plaza, with an official request to follow. This is a joint venture between PAID and Hobart's Run and expects approximately 750 guests this year and may request a road closure.

- b. Conditional Offer of Employment - Motion by Councilor Procsal, seconded by Councilor Lindsay to authorize the Chief of Police to extend conditional offers of employment to two (2) former Pottstown Police Officers. Motion carried: 7 ayes.

- c. Pollutant Limitations - Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to adopt an Ordinance amending Chapter 18, to modify specific pollutant limitations as developed and accepted by the Environmental Protection Agency

ORDINANCE NO. 2193

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING § 205, SPECIFIC POLLUTANT LIMITATIONS, OF PART 2, REGULATIONS, OF CHAPTER 18, SEWERS AND SEWAGE DISPOSAL, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO MODIFY

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SPECIFIC POLLUTANT LIMITATIONS AS DEVELOPED AND ACCEPTED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.

Motion carried: 7 ayes.

d. Zoning Variance - 31 East Fifth Street – Motion by Councilor Lebedynsky, seconded by Councilor Procsal to authorize the Solicitor to send a letter of opposition to the Zoning Hearing Board and authorize Councilor Lebedynsky to appear and testify at the Zoning Hearing, in opposition of the zoning variance request of Ketteline Guerrier for the property located at 31 East Fifth Street. Motion carried: 7 ayes.

e. RFP – PART - Motion by Councilor Lindsay, seconded by Councilor Procsal to authorize the advertisement of Requests for Proposals for the operation of the Pottstown Area Rapid Transit System. Motion carried: 7 ayes

f. Highway Materials - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to award the Highway Materials bids as per the bid tabulation of January 6, 2020 as follows and subject to review and approval of the Solicitor:

- i. Water Pipes & Fittings, Valves, Corporation Stops, Valve Box, Repair Clamps, Couplings, Paving Adaptors to L/B Water Service, Inc., Ephrata, PA
- ii. T Joints, Mechanical Joints, Bends, Tapping Valves and Sleeves, Roadway Boxes and cast-iron lids for adaptors, fire hydrants and clamps to Ferguson Waterworks, Whitehall, PA
- iii. Traffic Signs Complete to Lightle Enterprises, Frankfort, OH, Breakaway Signs and Posts to U.S. Municipal Supply, Inc.

Mr. Keller reviewed the bid tabulations presented this evening, adding that there was no bid for the bituminous concrete and crushed stone.

Solicitor Garner explained that if the cost of these materials does not exceed \$21,300 it can be purchased without putting out to bid.

Motion carried: 7 ayes.

g. Blighted Property Review - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to appoint Kevin Brown, Brian Hydier, Ryan Procsal and John Nugent to the Blighted Property Review Committee for one (1) year terms to expire December 31, 2020. Motion carried: 7 ayes.

Mr. Keller noted that Mr. Nugent is required to be a member from the Redevelopment Authority of Montgomery County and therefore another individual may be appointed. He added that Deb Penrod has volunteered to fill the position and has previously served on the Committee.

h. Blighted Property Review – Motion by Councilor Procsal, seconded by Councilor Lindsay to appoint Deb Penrod to the Blighted Property Review Committee for a one (1) year term to expire December 31, 2020.

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President Weand explained that in order for a property to be deemed blighted the property must be vacant and it has to be in violation of codes and ordinances.

Motion carried: 7 ayes.

i. Pottstown Borough Authority – Motion by Councilor Procsal, seconded by Councilor Paules to appoint Michael Benner to the Pottstown Borough Authority for a five (5) year term to expire January 1, 2025. Motion carried: 7 ayes.

j. Zoning Hearing Board - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to adopt a Resolution appointing Mark Patrizi to the Zoning Hearing Board for a three (3) year term to expire December 31, 2022.

RESOLUTION NO. 2020-1

A RESOLUTION APPOINTING MARK PATRIZI, AS A MEMBER OF THE POTTSTOWN BOROUGH ZONING HEARING BOARD FOR A TERM OF THREE (3) YEARS.

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. Mark Patrizi is hereby appointed to the Pottstown Borough Zoning Hearing Board for a three (3) year term, expiring December 31, 2022.
2. That the said member shall participate in all proceedings of the Pottstown Borough Zoning Hearing Board to the same and full extent as provided by law.

ENACTED AND RESOLVED this 13th day of January, A.D. 2020.

Motion carried: 7 ayes.

k. KEEP - Motion by Councilor Procsal, seconded by Councilor Lindsay to appoint Councilor Lebedynsky as the member of Council, Brian Hydier as the member of the Planning Commission and Justin Keller as the member of Borough Staff to the Keystone Employment and Economic Plan (KEEP). Motion carried: 7 ayes.

l. HARB/Planning Commission - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to authorize Staff to proceed with the concept of joint meetings with the Historic Architectural Review Board and the Pottstown Planning Commission.

Mr. Keller confirmed that he provided a memorandum to Council explaining this concept.

Motion carried: 7 ayes.

m. Pottstown Bike Race - Motion by Councilor Procsal, seconded by Councilor Paules to grant the request of the Pottstown Bike Race to conduct its Bike Race on June 6, 2020, resulting in the closing of portions of High Street, Mt. Vernon Avenue, North Roland, Chestnut and Beech

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Streets and Rosedale Drive from 8:00 a.m. – 8:00 p.m., subject to approval of the Police and Fire Departments. Motion carried: 7 ayes.

n. 2020 Council Meeting Dates - Motion by Councilor Lebedynsky, seconded by Councilor Vanni to approve and authorize advertisement of the 2020 Borough Council meeting dates as presented. Motion carried: 7 ayes.

o. President's Appointments to Committees, Subcommittees and Ad Hoc Committees:

President Weand announced his appointments as follows:

Ad hoc Zoning – Councilor Procsal and President Weand
Economic Development – President Weand and Peggy Lee-Clark
Efficient Methods – Vice President Lebedynsky and President Weand
Finance & Administration – Vice President Lebedynsky and President Weand
Infrastructure – Councilor Kirkland, Vice President Lebedynsky, and Councilor Paules
KEEP – Councilor Procsal, Brian Hydiar and Justin Keller

Correction - President Weand requested that the motion to appoint Vice President Lebedynsky to KEEP be corrected to appoint Councilor Procsal.

Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to replace Vice President Lebedynsky with Councilor Procsal on the Keystone Employment and Economic Plan (KEEP) . Motion carried: 7 ayes.

School Board – Councilor Vanni and Councilor Lindsay
Public Safety – Fire Chief Hand
Ricketts Community Center – Councilor Kirkland and Councilor Lindsay
Transportation – Councilor Kirkland, Councilor Paules and Councilor Procsal

President Weand advised that the Committee appointments will be listed for Council approval.

REPORT OF BILLS – Motion by Councilor Procsal, seconded by Councilor Lindsay to pay the bills in the amount of \$2,580,490.69. Motion carried: 7 ayes.

ANNOUNCEMENTS

Vice President Lebedynsky noted that he attended an NAACP event and praised the new Deliah and Dean natural food store at 219 East High Street.

Councilor Lindsay announced her son's graduation as a drill instructor with the Marine Corps.

Mayor Henrick also attended the NAACP event and the visit to Deliah and Dean's. The Mayor requested Council's consideration in starting a new ward committee.

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ADJOURNMENT

President Weand adjourned the meeting at 7:35 p.m.

Submitted by,

Justin M. Keller
Borough Manager