

March 4, 2020

COMMITTEE OF THE WHOLE MEETING

The March 4, 2020 Committee of the Whole meeting was called to order at 7:00 p.m. by President Weand in the Council Meeting Room, Pottstown Borough Hall, 100 East High Street, Pottstown, PA.

ATTENDANCE

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

INVOCATION

President Weand requested a moment of silence.

PRESENTATION

President Weand and Manager Keller presented a Resolution to Janice Lee, Finance Director, for her pending retirement in the presence of her family and fellow workers.

RESOLUTION NO. 2020-7

RECOGNIZING JANICE E. LEE FOR 11 YEARS OF DEDICATED SERVICE TO THE BOROUGH OF POTTSTOWN

WHEREAS, Janice E. Lee has served the Borough of Pottstown as a dedicated employee since 2009; and

WHEREAS, during her career with the Borough she served as the appointed Borough Treasurer and Authority Bookkeeper; and

WHEREAS, for the past eleven years Janice has worked in the position of Director of Finance, and during that time she served our residents and customers regarding implementation and execution of annual Borough of Pottstown and Pottstown Borough Authority budgets, five-year capital improvement projects, taxing millages, water, sewer and trash billing concerns, water service shut-offs, fee schedules, in order that residents could receive the best level of customer service possible from the Borough; and

WHEREAS, Janice's presence at Borough Hall will be truly missed by the people that have worked with her.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Mayor and Town Council that Janice E. Lee is officially recognized for the outstanding service she has provided the Borough of Pottstown through 11 years of employment; and further that she is extended best wishes for a happy and well-deserved retirement.

Adopted at Pottstown Borough Hall, 100 East High Street, this 4th day of March 2020.

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SUBCOMMITTEE REPORTS

- a. Infrastructure – Councilor Lebedynsky noted that the report was in the packet.
- b. Economic Development – Ms. Lee-Clark advised that updates were provided at the recent Joint School Board and Council meeting. She announced several upcoming events including a juried craft artisan event scheduled for the first weekend in May, along with the Sly Fox Goat Race and the Carousel’s Kentucky Derby.
- c. Transportation – There was no meeting.
- d. Ordinance Review Committee – Councilor Procsal noted that there will be a meeting in April.
- e. Efficient Methods Committee – There was no report.

BOARDS & COMMITTEE REPORTS

- a. Emergency Services Reports – Chief Hand reported that the Fire Department had 92 fire calls in February and 332 Emergency Service calls.
- b. Human Relations Commission – Marcia Levensgood announced the events for March, including National Women’s Day and Irish Annual Heritage month. She noted that the Commission approved its 2020 goals. The next meeting is March 19th.
- e. Ricketts Community Center – Councilor Lindsay advised that programs continue at the Ricketts Center, including soccer and karate.
- f. Pottstown School District – Councilor Lindsay announced that a group will be going to Harrisburg on March 23rd for fair funding issues.

MAYOR’S REPORT

Mayor Henrick reviewed the events which she attended and urged all to attend the Musical, Seussical at the Pottstown High School. She also announced her initiative of Ward Wars and the March 28th Clean-up day.

MANAGER’S REPORT

Mr. Keller provided an update on the Hale Street situation, wherein a sump pump was thought to be a cause of a neighbor’s ground erosion. This was not found through several inspections but staff will continue to monitor.

Mr. Keller added that the PCN Borough event will be aired on March 5th, 7:30 p.m. He also provided an update on the recent Joint School board and Borough Council meeting Reports were provided by the Health & Wellness Foundation, PAID and a ULI report.

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PRESENTATION – CABLE FRANCHISE AGREEMENT

Brian Jeter, Senior Director Government & Regulatory Affairs, was present to outline the proposed Cable Franchise Agreement with Comcast. He noted that franchises are governed by Federal Law. He also advised that he has been negotiating with the Borough Manager, Borough Solicitor and Gus Tellis of PCTV for several months to reach the proposed agreement. Mr. Jeter advised that a new retail store has opened at the Upland Square Shopping Center for the convenience of its customers. He added that Comcast serves over 3,000 homes and several school districts and Comcast will participate in the Cares Community Day, the first Saturday in May.

Mr. Keller explained that this is a 10-year agreement with the 5% franchise fee back to the municipality, which could result in approximately \$350,000 to \$400,00, along with the \$65,000 franchise grant for communication upgrades to the meeting rooms and for the relocation of the PCTV studio.

Solicitor Garner advised that a public hearing is scheduled for the regular meeting and the ordinance may be adopted by Council following the hearing.

PRESENTATION – 2020 CENSUS

Tricia Reedy Jones and Stephen Basenfelder Philadelphia Regional Census Center, were present to reiterate the importance of complying with the 2020 Census by Census day, April 1st. Ms. Reedy Jones noted that it can be done safely either in person, electronically or by mail and the personal data will not be available for 72 years. The 2020 Census determines \$675 billion nationally for the next 10 years. She also noted that the 2010 census resulted in only a 12% response in certain areas of Montgomery County.

Mr. Basenfelder advised that Census takers area positions are still available at \$27 per hour, with flexible hours, evenings and weekends. If hired in Pottstown, work would be available in or about Pottstown.

SAFE DIGGING MONTH

Mayor Henrick read a proclamation announcing April as Safe Digging month in the Borough. This will be forwarded to PennDOT by end of March as requested.

COMMUNITY ORIENTED POLICING SERVICES

Chief Markovich requested Council's authorization to submit a federal grant from the Department of Justice allowing 75% of salaries and benefits for two officers for four years. The grant would be used to replace two officers later in the year.

This will be listed for consideration on Monday's agenda.

RESIGNATION/APPOINTMENT BOROUGH TREASURER

APPOINTMENT DEPUTY TAX COLLECTOR

RESOLUTION – TAX COLLECTION (TCC) DELEGATE/ALTERNATE

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Mr. Keller referred to the resignation of Janice Lee as the Borough Treasurer due to her pending retirement. He recommended the appointment of Ann Maletsky, the new Finance Director. Mr. Keller also recommended that Ms. Maletsky be appointed as the Deputy Tax Collector, along with the Borough and also the requirement of a resolution as the delegate for the Tax Collection Committee.

President Weand advised that these would be listed for approval on the regular agenda.

CDBG – HIGH STREET STREETLIGHTING PHASE II

Mr. Keller advised that an application is being requested for the Community Development Block grants to continue the lighting to extend from Franklin to Washington Streets with 17 new light standards. There should be very little cost other than staff time installing the light fixtures.

KING STREET CROSSING - HIGHWAY OCCUPANCY PERMIT

Mr. Keller also explained the requirement of PennDOT for the installation of pedestrian crossing at the area of the Carousel and the refuge island, the Colebrookdale Railroad and Manatawny Green. As the improvements are within PennDOT right of way the Borough would be responsible for the maintenance and requested Council's approval for the maintenance agreement.

This will be listed on Monday's agenda.

MCDONALD'S LAND DEVELOPMENT, 189 SHOEMAKER ROAD

Solicitor Garner reviewed the conditions and the waivers recommended for the rebuild of the McDonald's restaurant located at 189 Shoemaker Road. He added that the safety concerns for a sidewalk was a major concern with the Planning Commission and McDonald's has also agreed on the requirement of the number of trees and the fee in lieu of at \$500 per tree.

McDonald's representatives were present and agreed with the recommendations.

POTTSTOWN CAR WASH

Solicitor Garner also reviewed the Land Development plans for the Pottstown Car Wash, located at 146 Shoemaker Road. He advised that one building will be taken down with a new facility constructed on the two parcels. He advised that the Planning Commission is recommending approval as stated in the Engineer's comments.

These land development plans will be listed on Monday's agenda.

HESS LOT

Mr. Keller advised that over the last 18 months, several inquiries have been made for the lot known as the Hess Lot at 191-193 South Hanover Street. He noted that two options would be available to the Borough, one being auction or bid wherein the Borough would be required to award to the highest bidder. He added that another option would be to convey to an economic development entity that would have a more positive impact to the Borough. This is done frequently through the Redevelopment Authority of Montgomery County. Mr. Keller distributed

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guidelines and recommended the property be conveyed to PAID and requested that Council authorize the Solicitor to draft an agreement with PAID to promote this property.

This will be listed for consideration on the regular agenda.

ZONING VARIANCE GREGG LANDRY, 434 JOHNSON STREET

Solicitor Garner reviewed the zoning variance request of Gregg Landry for the conversion of a single-family dwelling to apartments.

Councilor Lebedynsky recommended that this be sent to the zoning hearing board for determination.

ZONING VARIANCE, MATT DELLOSE, 431 KING STREET

Solicitor Garner reviewed the zoning variance request of Matt Dellose for the conversion of the property located at 431 King Street.

Councilor Procsal requested that a letter of opposition be sent to the Zoning Hearing Board.

ZONING VARIANCE, CARL CRAIG, 17 NORTH HANOVER STREET

Solicitor Garner referred to the application received on this date and Councilor Vanni requested additional time to review.

This will be listed for consideration on Monday's agenda.

ROCK THE BLOCK, HABITAT FOR HUMANITY APRIL 18, 2020

BARK FOR LIFE – BEER GARDEN, APRIL 25, 2020

TRAILS ON TAP, SRG, BEER GARDEN, MAY 13-MAY 17, 2020

POTTSTOWN RUMBLE – BEER GARDEN, JUNE 26-JUNE 28, 2020

HALLOWEEN PARADE, PARKS & RECREATION, OCTOBER 20, 2020

GOFOURTH - BEER GARDEN, JULY 4, 2020

Mr. Keller referred to the various requests for street closures and beer gardens for upcoming events.

President Weand noted that these would be listed for consideration on the regular agenda.

BOARD VACANCIES

Mr. Keller advised that there are two upcoming vacancies on the Land Bank board and one on HARB and these will be listed for consideration at the April meeting.

DISCUSSION - CONDITIONAL USE/ZONING PROCESSES

Solicitor Garner provided an explanation on the difference of the Conditional Use and the Zoning process as stipulated by ordinance. He advised that Borough Council is the legislature of the Zoning Ordinance, Chapter 27 of the Borough Code of Ordinances. He added that Council also

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appoints the members of the Zoning Hearing Board, even though it is a separate deciding body. Solicitor Garner added that during a Conditional Use hearing, Borough Council acts as the judicial body, wherein an executive session is allowed for deliberation.

COMMENTS FROM CITIZENS PRESENT

a. Jim Frymoyer, 60 Moser Road – spoke as President of the Board of the Pottstown Area Children’s Foundation and invited all to the first annual banquet scheduled for April 17th at Sunnybrook. He thanked all involved with this event.

b. Ron Williams, 245 Walnut Street – reminded all of the 7th annual PowWow event scheduled for May 2nd and May 3rd. He also highlighted his experiences at the Pine Ridge Indian Reservation in South Dakota.

c. Tracy Daywalt, 231 North Charlotte Street – thanked the Fire Department for the recent rescue of a dog from the Schuylkill River.

Tom Hylton, 222 Chestnut Street – commented that he was involved with writing the Zoning Ordinance in 2003. A major concern of Council at that time was to not have any conversions of single-family dwellings into apartments, with the square feet of the space a major concern. He urged Council to consider these requirements when requests and variances are submitted for the conversions of single-family dwellings.

COUNCILORS’ GENERAL DISCUSSION

Councilor Paules reminded all of the Citizens’ Leadership Academy. He also noted that he was a neighbor and friend the Joe Camacho family and expressed condolences to his family on his recent passing. He added that he and Councilor Vanni will be attending the Borough boot-camp for Councilors. Mr. Keller noted that Janice Lee and Ann Maletsky will also be attending.

Councilor Lindsay announced the Bethel AME is hosting a leadership luncheon in honor of Newstell Marable, Sr. at the Spring Hollow Golf Club, March 28th. with awards being presented to John and Marlene Armato. Mrs. Armato is also an exceptional women’s nominee. She added that on April 4th, GoFourth will be hosting a battle of the bartenders. Councilor Lindsay noted that she will be participating in the reading program at Rupert Elementary on April 7th.

Councilor Procsal thanked the Pottstown Area Health and Wellness Foundation presentations at the Joint School Board and Council meeting on February 27th.

Councilor Lindsay commented that she attended the Pottstown Community Action event.

President Weand adjourned the meeting at 9:05 p.m.

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