

March 13, 2023

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. Requests to speak will be accepted until 7:05p.m., 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, March 13, 2023 at 7:03 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, Trenita Lindsay, Dan Weand, Andrew Monastra and Joseph Kirkland (virtual). Also present were Manager Justin Keller, Solicitor Charles Garner and Borough Secretary Virginia Takach. Mayor Henrick was absent.

APPROVAL OF MINUTES

Motion by Councilor Procsal seconded by Councilor Monastra to approve the minutes of the February 13, 2023 Council meeting as presented. Motion carried: 7 ayes.

SUBCOMITTEE REPORTS

- a. Finance & Administration – President Weand explained the report for December 2022 as Period 13. He advised that at 100% of the fiscal year, 113% of General Fund revenues was received and expenses are at 99%. Real Estate taxes collected are at 103% and Local taxes collected are at 140%. President Weand also reported that the General Fund dropped by \$327,000 and the audit is underway. The Assessment changed dropped by \$164,510. There were no new LERTA applications. He added that January has been productive so far.

COMMITTEE REPORTS

- a. EAC – There was no report.
- b. Regional Planning – Councilor Procsal noted there was no meeting.

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c. Blighted Property Review Committee – Chairperson Jamie Sanchez advised there was no report but the next meeting is March 15th, 4:00 p.m.

COMMENTS FROM CITIZENS PRESENT

- a. Jamie Sanchez, 200 Maplewood Drive – reported on a clean up and thanked the participants. She added that her personal matter is being resolved through Licensing & Inspections and noted the department needs two more inspectors. She urged that Council reinstate the Ward meetings with the Police Department.
- b. Kyle Weave, 556 King Street – reiterated his concerns regarding trash problems throughout the Borough. He advised that a clean-up event is scheduled for March 25th and requested that Representative Ciresi be contacted for funding to address street sweeping and other trash matters.
- c. Reverend Nicole Jackson, 1511 Cherry Lane – commended Tom Niarhos for following the Cease & Desist order and the individuals found alternative shelter that evening. She also expressed a concern about the false information and lies being disseminated regarding the Beacon of Hope and members of the Church. She asked that all support the paths to address the homeless situation.
- d. Matt Green, 121 North Hanover Street – spoke on the clean-up event of last week. He also addressed the homeless issue in Pottstown. He added that he is not against the warming center or the Beacon of Hope, adding that he has not heard from the Beacon of Hope as to how they will address the ripples as stated by Councilor Monastra. Mr. Green added that the Borough needs help from Borough government with the trash issues, such as a street sweeper program and a leaf pick-up program
- e. Ivona Ellison, 4 West Street – noted the preventative measure to keep people from homeless situations. She added that there needs to someone to go to for assistance and support to avoid being homeless.
- f. Laura Johnson, 554 Belmont Street – expressed a concern regarding the number of discussions and that the local government, the Zoning Hearing Board, has recognized the need for a shelter and still none. She added that she could not understand why council would consider denying the request.
- g. Deb Spence, 153 south Roland Street – reiterated her request to the Manager regarding taxes and fair housing questions. She also questioned the commercial unit registration proposed ordinance listed on the agenda and requested additional information and explanation.
- h. Jen Green, 841 North Franklin Street – she agreed with the trash comments of Matt Green. She also reported on a recent incident wherein she was provided information regarding the homeless that is not true. Ms. Green outlined the accomplishments of Mr. Niarhos and the Beacon of Hope providing shelter, jobs and housing to homeless

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individuals. She also stated that the Council President is out of touch with the community. She has personally provided items and support for the homeless and the statements of homeless being a detriment to the community and the school is an insult. Ms. Green added that a permanent shelter is need and stated that Mr. Weand made a promise during the last election and did not keep it.

- i. Aram Ecker, 144 King Street – stated he is quite involved with Mission First. The staff and the center does amazing work. He added that there is a need that has to be addressed. He questioned the participation of the coventries and townships, with the Borough being overwhelmed.

President Weand noted that it is no council's policy to address comments, but he is making an exception this evening due to the accusations presented in the information that was distributed. He advised that the paper originated coming through his front door and shared with the neighbors. President Weand added that after the accusations of it being inaccurate, he had it checked out and found there was a flaw that being discussed was not a zoning change but a zoning variance and the rest of the paper was true to the best of his research.

UNFINISHED BUSINESS

NEW BUSINESS

- a. Possible action regarding the zoning relief request on the application of St. Paul's United Church of Christ and the Pottstown Beacon of Hope, to allow a temporary warming center on the property located at 931 North Franklin Street.

President Weand advised that no action will be taken on this matter this evening.

- b. Registration Commercial Units - Motion by Councilor Procsal, seconded by Councilor Vanni to adopt an Ordinance creating regulations for Registration and Inventorying of Commercial Units within the Borough.

ORDINANCE NO. 2225

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING CHAPTER 5, CODE ENFORCEMENT, TO CREATE A NEW PART 17, REGISTRATION OF OCCUPIED COMMERCIAL UNITS, INTENDED TO CREATE A REGULATORY SCHEME FOR THE REGISTRAION AND INVENTORYING OF COMMERCIAL UNITS WITHIN POTTSTOWN BOORUGH

Councilor Procsal commented that this is to get an inventory of what commercial units exist on High Street.

Solicitor Garner added that the purpose is to create require registration of occupied properties for the occupied to create an inventory for fire protection, emergency services, with a registration fee of \$35.00

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Motion carried: 7 ayes.

- c. Parking Lot Overlay – Motion by Councilor Procsal, seconded by Councilor Monastra to award the Borough Hall Parking Lot Overlay Paving project to Delaware Valley Paving in the amount of \$73,051.75, as per the bid tabulation of March 10, 2023, subject to review and approval of the Solicitor and the Public Works Director.

President Weand advised that the initial low bidder has withdrawn its bid.

Motion carried: 7 ayes.

- d. Police Vehicles - Motion by Councilor Vanni, seconded by Councilor Lindsay to award three police vehicles as per the bid tabulation of February 24, 2023 as follows and subject to review and approval of the Solicitor:
 - i. 2005 Chevrolet Tahoe to Juma Kinyamkera - \$3,400
 - ii. 2002 Chevrolet Tracker to Peyser Valderrama - \$3,200
 - iii. 2017 Ford Explorer to Harry Wright - \$5,600

Motion carried: 7 ayes.

- e. Sports Enterprises – Motion by Council Procsal, seconded by Councilor Vanni to approve and authorize execution of the Addendum to the Agreement of Lease between the Borough of Pottstown and Sports Enterprises (Sundstrom Field). Motion carried: 7 ayes.
- f. Take it Outdoors - Motion by Councilor Vanni, seconded by Councilor Lindsay, to approve and authorize execution of the Memorandum of Understanding and TIO LLC, d/b/a Take It Outdoors and the Borough of Pottstown for a term to expire March 13, 2024. Motion carried: 7 ayes.
- g. Diaz, 279 North Hanover Street - Motion by Councilor Vanni, seconded by Councilor Lindsay to approve and authorize execution of a Release and Hold Harmless Agreement between Sasha Diaz and the Borough of Pottstown to allow the installation of a fence on the property located at 279 North Hanover Street, encroaching the Borough's Right of Way. Motion carried: 7 ayes.
- h. 400 Block Beautification – Motion by Councilor Procsal, seconded by Councilor Kirkland to approve in concept the Mosaic Community Land Trust and the Pottstown Community Arts Committee project for the 400 Block of High Street Beautification, as presented on March 8, 2023 and subject to approval of Montgomery County and Borough Staff. Motion carried: 7 ayes.
- i. Memorial Day Parade – Motion by Councilor Lindsay, seconded by Councilor Vanni to grant the request of the Pottstown Joint Veterans Council to hold its Memorial Day Parade, resulting in the closing of High Street from Bailey Street to Manatawny Street on May 29,

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2023 from 8:00 a.m. to 11:00 a.m., subject to review and approval of the Police and Fire Departments.

Councilor Vanni requested more than a banner identifying Council members in the parade.

Mr. Keller asked for recommendation prior to the parade.

Motion carried: 7 ayes.

- j. GoFourth Festival - Motion by Councilor Monastra, seconded by Councilor Kirkland to grant the request of Pottstown GoFourth, Inc., to hold its GoFourth Street Fest, resulting in the closing of High Street from York Street to Charlotte Street on July 4, 2023, from 11:00 a.m. to 5:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 7 ayes.
- k. GoFourth Biergarten – Motion by Councilor Lindsay, seconded by Councilor Procsal to grant the request of Pottstown GoFourth, Inc, to allow the operation of a Biergarten in Smith Family Plaza on July 4, 2023 from 11:00 a.m. to 4:00 p.m., and in Memorial Park from 5:00 p.m. to 9:00 p.m., subject to review and approval of the Federal Transit Administration and compliance with the Pennsylvania Liquor Control Board regulations. Motion carried: 7 ayes.
- l. Orchid Euro Car Show – Motion by Councilor Vanni, seconded by Councilor Lindsay to grant the request of Orchid Euro LLC to hold its Car Show on September 3, 2023, resulting in the closing of High Street from Evans Street to Manatawny Street and Hanover Street from King Street to South Street from 5:00 a.m. to 8:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 7 ayes.
- m. Fete en Blanc – Motion by Councilor Procsal, seconded by Councilor Vanni to grant the request of Pottstown Area Economic Development to hold the Annual Fete en Blanc on September 8, 2023, resulting in the closing of High Street from York Street to Hanover Street from 4:00 p.m. to 10:00 p.m., subject to review and approval of the Police and Fire Departments. Motion carried: 7 ayes.
- n. Fete en Blanc Alcohol in Parks - Motion by Councilor Lindsay, seconded by Councilor Vanni to grant the request of PAED to allow the sale and consumption of alcoholic beverages in Smith Family Plaza for the Fete en Blanc on September 8, 2023, from 6:00 p.m. to 9:00 p.m., subject to approval of the Federal Transit Administration and compliance with the Pennsylvania Liquor Control Board regulations. Motion carried: 7 ayes.

REPORT OF BILLS - Motion by Councilor Monastra, seconded by Councilor Lindsay to pay the outstanding bills in the amount of \$2,075,224.94. Motion carried: 6 ayes.

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Councilor Monastra reminded all of the April 29th, Edgewood Cemetery Clean-up and Arts Fair.

Councilor Lindsay suggested that the homeless individuals help with the clean-up events. She added that Licensing & Inspections needs more people and agreed that the Ward meetings should be reinstated. Councilor Lindsay advised that there is a meeting of Affordable Housing on April 1st, 1:00 p.m. at the Norristown Court House.

Councilor Vanni requested a meeting to discuss trash issues and to include Matt Green and Kyle Weaver. She noted that she followed up on the accusations of Wednesday's meeting adding all but one were false. There were no police reports. She also noted that she drove around St. Paul's Church over the weekend and she saw only one homeless individual and no trash in the area. Councilor Vanni commented that she felt lied to and manipulated for months. She added that calling the County for homeless assistance reverts back to the Borough. She also spoke with various business people and each had different experiences with the homeless. A meeting should be scheduled with individuals from all walks of life and remain in contact with County and other elected officials. She also noted that she still has not received a paper copy of the letter and requested no more unsigned secret letters and honesty among Council.

Councilor Procsal also agreed to reinstate the Ward meetings with Chief Markovich.

EXECUTIVE SESSION

President Weand recessed the meeting to executive session for a personnel matter at 8:00 p.m.

ADJOURNMENT

President Weand adjourned the meeting at 9:00 p.m.

Submitted by,

Justin M. Keller
Borough Manager

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VOTING CONFLICT MEMORANDUM

In accordance with the Public Official and Employee Ethics Act, I am filing this memorandum to publicly announce and disclose my abstention from voting on the matter listed below, and the reasons for abstention.

Name of Official: Andrew J. Monastra

Position Held: Councilor

Date of Public Meeting: 1/9/23

Matter Voted Upon: Hill School Land Development

Reason for Abstention / Nature of Conflict of Interest:

I have performed legal services for the Hill School

I direct that this memorandum be filed, as a public record, with the person responsible for recording the minutes of the meeting in which the vote is taken.

Date: 1/9/23

[Signature]
Signature