

July 13, 2020

POTTSTOWN BOROUGH COUNCIL

The regular meeting of the Pottstown Borough Council was called to order on Monday, July 13 2020 at 7:05 p.m. as a Go-To-Meeting 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 and Michael Paules. Also present were Manager Justin Keller, Solicitor Charles Garner, Mayor Stephanie Henrick and Borough Secretary Virginia Takach. Councilor Kirkland was absent.

ANNOUNCEMENTS

Borough Manager Keller explained the format for this evening's meeting, advising that the meeting is a GoTo Meeting and available on-line. Public comments are being accepted through email and chat from 6:30 p.m. – 7:10 p.m. 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.

APPROVAL OF MINUTES

June 8, 2020 Council Meeting - Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to approve the June 8, 2020 Council meeting minutes as presented. Motion carried: 6 ayes.

June 18, 2020 Special Meeting – Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to approve the June 18, 2020 Special Council Meeting. Motion carried: 6 ayes.

COMMENTS FROM CITIZENS PRESENT

a. Tom Winterbottom, 262 King Street – requested that Council address the excessive fireworks situation and also expressed a concern regarding the loud music during the recent car show.

Mr. Keller agreed to address this matter with officials of the Car Show.

SUBCOMMITTEE REPORTS

a. Finance & Administration – President Weand reported that as of 42% of the year, the

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revenues received are at 58% and expenses at 32%. Real Estate taxes received are at 84% of the 94% budgeted amount. He added that the audit has begun, with in-house work completed. President Weand also noted that the assessments dropped another \$542,420 and underassessed properties are being reviewed with the School District.

BOARDS AND COMMITTEE REPORTS

- a. EAC – There was no meeting.
- b. Regional Planning – Councilor Procsal noted that the Keim Street Plan was discussed at the recent meeting.
- c. Blighted Property – There was no meeting.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- a. Conditional Use – Christopher Burgos - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to grant the Conditional Use request of Christopher Burgos, to operate a locksmith shop and associated services at the property located at 17 North Hanover Street, with conditions as stated in the order dated July 13, 2020. Motion carried: 6 ayes.
- b. Promotion to Sergeant - Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to promote Corporal Brian Weitzel to the rank of Sergeant in the Pottstown Police Department, effective immediately. Motion carried: 6 ayes.
- c. Promotion to Corporal - Motion by Councilor Procsal, seconded by Councilor Lindsay to promote Officer Peter Yambrick to the rank of Corporal in the Pottstown Police Department, effective immediately. Motion carried: 6 ayes.
- d. Conditional Offer - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to authorize the Chief of Police to extend a conditional offer of employment to Montana McDermott, #1 from the Civil Service Eligibility List. Motion carried: 6 ayes.
- e. Regional Recreation Committee - Motion by Councilor Procsal, seconded by Councilor Lebedynsky to authorize the Solicitor to prepare and advertise an ordinance approving execution of the Intergovernmental Cooperative Implementation Agreement for the Pottstown Area Regional Recreation Committee. Motion carried: 6 ayes.
- f. ACMS Crossing Guards - Motion by Councilor Lebedynsky, seconded by Councilor Paules to authorize execution of the Agreement for Crossing Guard Services between the Borough and All City Management Services Inc. for a term to expire June 30, 2021. Motion carried: 6 ayes.

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g. Tellisvision - Motion by Councilor Lebedynsky, seconded by Councilor Lindsay to authorize execution of the Second Addendum to the Agreement between the Borough and Tellisvision, LLC, with a term to expire August 7, 2022. Motion carried: 6 ayes.

h. Property Registration Champions – Motion by Councilor Procsal, seconded by Councilor Lebedynsky to authorize execution of an Agreement between the Borough and Property Registration Champions, LLC (AKA Community Champions and AKA Prochamps) with a term to expire July 13, 2022. Motion carried: 6 ayes.

i. Land Bank Board - Motion by Councilor Procsal, seconded by Councilor Lindsay to appoint Michael Paules to the Land Bank Board for a term to expire April 9, 2021. Motion carried: 6 ayes.

j. Multimodal Transportation Grant – Motion by Councilor Procsal, seconded by Councilor Lebedynsky to adopt a Resolution authorizing submission of a Multimodal Transportation fund grant in the amount of \$700,000 from the Commonwealth Financing Authority to be used for Borough-wide LED Streetlight Conversion project and authorize the amount of \$210,600 in matching funds.

Resolution No. 2020-20
2020 MULTIMODAL TRANSPORTATION FUND

Be it RESOLVED that the Borough of Pottstown of Montgomery County hereby requests a Multimodal Transportation Fund grant of \$700,000 from the Commonwealth Financing Authority to be used for a Borough-wide LED Streetlight Conversion Project.

Be it FURTHER RESOLVED that the Applicant does hereby designate Dan Weand, Borough Council President and Justin Keller, Borough Manager as the officials to execute all documents and agreements between the Borough of Pottstown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Virginia Takach, duly qualified Secretary of the Borough of Pottstown, Montgomery County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Pottstown Borough Council at a regular meeting held on July 13, 2020 and said Resolution has been recorded in the Minutes of the Pottstown Borough Council and remains in effect as of this date.

Motion carried: 6 ayes.

k. Blight Remediation - Motion by Councilor Paules, seconded by Councilor Procsal to adopt a Resolution authorizing submission of a Blight Remediation Program grant in the amount of \$300,000 from the Commonwealth Financing Authority to be used for acquisition and demolition of blighted properties and authorize the amount of \$60,000 in matching funds.

RESOLUTION NO. 2020-21
BLIGHT REMEDIATION PROGRAM

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Be it RESOLVED that the Borough of Pottstown of Montgomery County hereby requests a Blight Remediation Program grant of \$300,000.00 from the Commonwealth Financing Authority to be used for acquisition and demolition of blighted properties.

Be it FURTHER RESOLVED, that the Applicant does hereby designate Dan Weand, Borough Council President, and Justin Keller, Borough Manager as the officials to execute all documents and agreements between the Borough of Pottstown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Virginia Takach, duly qualified Secretary of the Borough of Pottstown of Montgomery County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Pottstown Borough Council at a regular meeting held on July 13, 2020 and said Resolution has been recorded in the Minutes of the Pottstown Borough Council and remains in effect as of this date.

Motion carried: 6 ayes.

1. Public Safety Plan - Motion by Councilor Procsal, seconded by Councilor Lindsay to adopt a Resolution approving the 2020 PART Public Transportation Agency Safety Plan as submitted.

RESOLUTION NO. 2020-22

Pursuant to 49 CFR Part 673.11, the Borough of Pottstown certifies that this Public Transportation Agency Safety Plan. The Federal Transit Administration will oversee compliance with the requirements of Part 673 through the existing Triennial Review processes.

Should the Borough of Pottstown's transit system, Pottstown Area Rapid Transit, grow and no longer meet the definition of a small urban public transportation provider, it will, within one year from that date, draft and certify a plan compliant with requirements of systems operating greater than 100 vehicles.

The Borough of Pottstown's Public Transportation Agency Safety Plan was approved and adopted at the July 13, 2020 Council Meeting.

Motion carried: 6 ayes.

m. Blue Elephant Outdoor Picnic – Motion by Councilor Procsal, seconded by Councilor Lindsay to grant the request of the Blue Elephant Restaurant for permission to use the Smith Family Plaza for the operation of an outdoor picnic and serve alcohol in the Park, on July 22, 2020, 4:00 p.m. – 8:00, subject to review and approval of the Police and Fire Departments and compliance with the Liquor Control Board regulations.

Councilor Procsal commented that this event should not pose a problem at this time.

President Weand noted that the Solicitor and Staff will be reviewing regulations pertaining to the use of Smith Family Plaza.

Councilor Vanni added that she will be voting in favor of the event due to being in the middle of a pandemic and she would favor an outside event over going inside a restaurant.

Motion carried: 5 ayes, 1 nay. Councilor Paules cast the negative vote.

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n. Trilogy BMX Lease – Manager Keller requested this be postponed until the August agenda .

o. Funky Santa 5K- Motion by Councilor Lebedynsky, seconded by Councilor Procsal to grant the request of the Parks & Recreation Department to hold its annual Funky Santa 5K on December 6, 2020, resulting in the closure of portions of College Drive and Keystone Boulevard, from 9:00 a.m. -10:30 a.m., subject to review and approval of the Police and Fire Departments, and to grant a waiver of the street closure fee. Motion carried: 6 ayes.

p. HB 2583 Elected Authority Members - Motion by Councilor Lindsay, seconded by Councilor Procsal to authorize the Borough Manager to send a letter on behalf of Borough Council, in opposition of HB 2583, Elected Authority Members. Motion carried: 6 ayes.

q. 2017 Fireworks Law – Motion by Councilor Procsal, seconded by Councilor Lindsay to authorize the Borough Manager to send a letter on behalf of Borough Council, in support of legislation to repeal Pennsylvania’s 2017 Fireworks Law. Motion carried: 6 ayes.

r. Sterling Advisors/TD Ameritrade - Motion by Councilor Lebedynsky, seconded by Councilor Procsal to authorize the change in signatures on the Sterling Advisors/TD Ameritrade account from Janice Lee, Mark Flanders, and Stephen Toroney to new signors Ann Maletsky, Justin Keller and Dan Weand. Motion carried: 6 ayes.

REPORT OF BILLS – Motion by Councilor Lindsay, seconded by Councilor Lebedynsky to pay the outstanding bills in the amount of \$1,817,037.33. Motion carried; 6 ayes.

ANNOUNCEMENTS

Councilor Procsal also expressed a concern for the loud music at the recent car show.

Councilor Vanni advised that she receives monthly complaints from constituents regarding the lack of face masks being worn during events and the recent car show.

Solicitor Garner commented that everyone encourages face masks but it will be difficult to enforce even if citations are issued and when the charges come before the courts.

Manager Keller agreed to meet with the planners of the car shows to see if they are encouraging masks during the events. He added that his interpretation of the wearing of masks is that if one is outside with family members, a mask is not necessary. A 6’ distance should exist and a mask should be worn if coming upon another party. He added that the County Health Department will be overseeing bars and restaurants for compliance issues.

Mayor Henrick stated that masks are mandatory in Pennsylvania and this should not be a choice.

Solicitor Garner added that as Council approves the events, it can set guidelines and conditions for approval.

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Councilor Lindsay announced that Pottstown Community Action is seeking block party captains for Wards 6 and 7. She also commended the Parks and Recreation Department for the Wednesday hydrant events. Councilor Lindsay praised Mercury Reporter Evan Brandt for the recent article in the New York Times.

Mayor Henrick noted that she will be attending a 3-day Leadership conference. She added that she and Councilor Lindsay will be attending the Spanish mass at Saint Aloysius on Sunday, 9:00 a.m. to address the Latino community and the census regulations.

ADJOURNMENT

President Weand adjourned the meeting 7:40 p.m.

Submitted by,

Justin M. Keller
Borough Manager