

October 6, 2021

ANNOUNCEMENT

Borough Manager Keller explained the format for this evening's meeting, advising that the meeting is a public in-person and a GoTo Meeting and available on-line as well. Public comments are being accepted through email and chat prior to 7:00 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.

CONDIITONAL USE HEARING – James Martin, 543-545 East High Street

Solicitor Garner opened a Conditional Use hearing at 6:30 p.m. and entered several Council items into evidence.

James Martin was sworn in and testified that he currently has a tax office in Myerstown, Pennsylvania and resides in Stowe, PA. He added that he serves 166 clients with one secretary and one accounting assistant. He provided a traffic study to Council and noted that his hours would be normally 9:00 a.m. - 6:00 p.m.

Also present were Gary Pace, Realtor and Tim Palladino, property owner.

There was no public comment and the hearing closed at 6:50 p.m.

COMMITTEE OF THE WHOLE MEETING

The October 6, 2021 Committee of the Whole meeting was called to order at 7:00 p.m. by President Weand.

ATTENDANCE

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

INVOCATION

President Weand requested a moment of silence.

PLEDGE OF ALLEGIANCE

SUBCOMMITTEE REPORTS

- a. Infrastructure – Councilor Lebedynsky advised that the report was in the packet.
- b. Economic Development – Mr. Keller noted that Ms. Lee-Clark provided her report at the Joint School Board and Council Meeting.
- c. Transportation – There was no quorum at the recent meeting.

October 6, 2021

- d. Ordinance Review Committee – There was no meeting.
- e. Efficient Methods Committee – Councilor Lebedynsky reported that the committee is moving forward with the Six Sigma program.

BOARDS & COMMITTEE REPORTS

- a. Emergency Services Report – President Weand noted that Chief Hand provided his report for the packets.
- b. Human Relations Commission – Ms. Levengood advised that National Hispanic Heritage month continued to October 15th. October is also Italian American Heritage month and National Domestic Violence Awareness month, National Disability Employment month, National Bullying Awareness month and National LGBTQ month. There was no quorum for last evening's meeting.
- c. Land Bank – Jamie Sanchez reported that the Board continues to meet and working on proper documentation and is proceeding on schedule.
- d. Library – Board President Frances Hylton reported that the Library netted \$787 on the recent Book Sale. She also advised that the system conversation went very well for Pottstown. Ms. Hylton commended Board Member Peggy Whittaker for her contribution of \$10,000, which will be match for a total of \$20,000. She also reiterated her request for assistance from the Borough for barricades and signs to convert the Library's parking lot to a one-way in and out from Union Alley and no entrance or exit onto South Washington Street. She also announced the return of former Board Member Judge William Yohn to the Library Board.
- d. Pottstown School District – Councilor Lindsay reported that the Pottstown School District Class of 1958 had its 60th Class reunion. She also congratulated Superintendent Rodriguez for his recognition during Spanish American Heritage Month. Councilor Lindsay also outlined the safety and COVID health measures being conducted throughout the schools.
- f. Ricketts Community Center – Councilor Kirkland outlined the classes and programs throughout the Center. He urged all to take advantage of the Health & Wellness programs for as little as \$15-\$20 for 4 months and that the Center is a community-wide Center. Councilor Kirkland also announced the Trunk or Treat night on October 29th at the Center.

MAYOR'S REPORT

Mayor Henrick referred to the Infrastructure report provided in the packets, which covered many of the events. She also commented on the passing of Chaplain Bishop Everett Debnam and Bobby Newton. Mayor Henrick also provided a report on additional events in which she attended. She announced the Block Captain program and expressed a concern on the ongoing trash at the Blue Moon. Mayor Henrick also provided an update on the upcoming October events, including the October 23rd Halloween Parade and the October 31st Trick or Treat night from 6:00 – 8:00 p.m.

October 6, 2021

MANAGER'S REPORT

Manager Keller advised that the Borough received a donation of \$3,500 from the GoFourth Committee towards the replacement of American Flags on North Hanover Street. He also updated the PECO underground electrical work and it is expected that paving should be take place from mid to end of October. He also provided an update on the water and sewer projects with Henry Street completed by end of this week.

Mr. Keller advised that this is Fire Prevention Week and postings are noted on the Borough's Facebook page. He also advised that the projects reviewed at the Joint School board will be posted to the website in the near future. Mr. Keller reminded all that the Hall will be closed Monday in honor of the Columbus Day holiday and the Council meeting will be Tuesday, October 12th.

PUBLIC HEARING – JUAN CARLOS, 235 East High Street - LIQUOR LICENSE

Solicitor Garner opened a public hearing on the application of Juan Carlos Fine Mexican Restaurant, as required under the State Liquor Code. Attorney Garner entered into evidence a letter dated September 6, 2021 from Realtor Salvatore Gambone requesting approval of the application for an Economical Development Liquor License.

Councilor Procsal commented that this would be a benefit to downtown and would like to do anything to help the applicant.

There was no public comment and Solicitor Garner closed the Public Hearing at 7:35 p.m., noting a Resolution will be listed for Tuesday evening.

TRAFFIC ENFORCEMENT AGREEMENT WITH HANOVER SQUARE

Solicitor Garner referred to the request of Hanover Square development for traffic enforcement in the development on its private roads. Attorney Garner advised that the Chief is willing to enforce the law on these roadways. He suggested that proper signage be installed along with a required agreement.

NOISE ORDINANCE AMENDMENT

Solicitor Garner commented that he and Chief Markovich have been working on an amendment to the noise ordinance to address the use and timing of fireworks. He outlined some reasonable times for holiday fireworks and requested authorization to move forward with the amendment.

APPOINTMENT DEPUTY EMERGENCY MANAGEMENT COORDINATOR

Manager Keller requested the appointment of Kevin Owens to fulfill this role in light of Mr. Owens' experience with Emergency Management.

SALE OF BOROUGH VEHICLE

Mr. Keller also referred to the bid for the one police vehicle that was rebid from last month and requested acceptance of this bid.

October 6, 2021

President Weand advised that these items will be listed for action on the regular agenda.

MONTGOMERY COUNTY PLANNING COMMISSION CONTRACT 2022-2024

Mr. Keller referred to the three-year Montgomery County Assistance Contract for an approximate cost of \$30,000 per year.

HOBART'S RUN ORNAMENTAL LIGHTING AGREEMENT

Mr. Keller also referred to the signed agreement by the Hill School and Hobart's Run for the maintenance agreement for the lighting on Beech Street in the Hobart's Run District.

These agreements will be listed for action on Tuesday evening.

YWCA – STREET CLOSURE, KING STREET, OCTOBER 17 – 23, 2021

Mr. Keller noted that the date to start the road closure has changed from October 18th to October 17th. He noted that the maintenance agreement has been signed by the YWCA and will be signed and returned to the YWCA.

Ms. Chesson was present and requested that the road closure fee of \$119.50 be waived.

Councilor Kirkland referred to the Borough's policy on waiving fees and recommended this not be waived and to uphold the policy.

It was the consensus of Council to not waive the fee and therefore no action is necessary.

Ms. Chesson advised that there would be no hardship to the YWCA and is prepared to pay the fee.

VICTORY CHRISTIAN LIFE – LIGHT THE NIGHT EVENT HALLOWEEN TRICK OR TREAT

Mr. Keller referred to the requests submitted for street closures for Halloween events.

These will be listed on the regular agenda.

Mr. Keller reviewed the application for a HARB certificate and for those administratively approved as follows:

866 East High Street – for approval of vinyl window sign advertisement.

HARB (Administratively Approved) – 1019 East High Street; 311 Walnut Street; 826 East High Street, 990 East High Street.

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

October 6, 2021

COMMENTS FROM CITIZENS PRESENT

a. John Morton, 5 East 3rd Street – questioned what Council is doing to address the homeless and have no permanent address.

b. Tom Niarhos, 846 East High Street – also questioned what plans Council has for those with no permanent address. He advised that the Borough is citing and arresting those that are homeless and stopping individuals and churches from serving food. He urged the community leaders to assist all people for which they were elected.

c. Ernie Miranda, 379 Apple Street – commented that he allows homeless to stay on his porch and has been threatened with fines for doing so. He provides food to those in need. He stated the homeless cannot get food from the Cluster without an ID.

d. Joe Wynands, 27 North Roland Street – advised that he is a volunteer at Al's Heart Warming Center and noted that the Center connects with the homeless in order to have more stability in their lives. Most have drug or alcohol issues and can be rehabilitated through these Centers. He questioned the process for the variance for the proposed homeless shelter.

e. Leanne Moyer, 43 Sugar Maple Road – spoke on behalf of her group, Leanne's Life Changing Fairies Group. She stated that she feeds, clothes and provides shelter for the homeless. She added that they are being moved from the parks and cannot get ID's.

f. Christian, 2719 Elysia Lane – also questioned what actions are being taken to address the homeless. He commended Al's Heart Warming Center and noted that he lived at the Walmart Center and was arrested for trespassing.

g. Jen Green, 841 North Franklin Street – reiterated her concerns regarding Codes issues, for high grass and bugs. She also praised the Police Department for its attempts to capture the fox in the North end. She also noted that the homeless need ID in order to move forward and could use some of the vacant properties throughout the Borough.

h. Rita Paez, 19 South Keim Street – also commented on the homeless and questioned the actions to be taken. She volunteers at the Church Episcopal Church serving lunches.

i. Dennis Kelly, no address – noted that he will be arrested without a permanent address and for trespassing. He stated that he is grateful for food from the churches.

COUNCILORS' GENERAL DISCUSSION

Councilor Procsal noted that even though the Desch property didn't work, there may be a solution for the future.

Councilor Lindsay requested additional police for enforcement near Oak Street, recently changed to a one-way street. She announced the Week Without Violence at the YWCA, October 17 – October 23, with the installation of the mural. She added that Art fusion needs painters. She added that she was able to meet with her former mentor at the High School, along with her former walking school bus students.

October 6, 2021

Mayor Henrick thanked all that supported Al's Heart Warming Center, for which she is in favor.

President Weand advised that we have not given up on the homeless.

EXECUTIVE SESSION

President Weand recessed the meeting to executive session at 8:10 p.m. for a collective bargaining issue.

ADJOURNMENT

President Weand adjourned the meeting at 8:30 p.m.