

NORRISTOWN MUNICIPAL COUNCIL WORK SESSION
AUGUST 18, 2020

The virtual Council Work Session of August 18, 2020 was called to order by Council President Derrick Perry at 6:30 PM by way of the GoToMeeting.com application.

There was a **Moment of Silence** followed by the **Pledge of Allegiance**. The following Council members were connected to the online meeting:

Valerie Scott-Cooper	Sonya Sanders	Hakim Jones	Heather Lewis
Thomas Lepera	Rebecca Smith	Derrick Perry	

Also present were: Crandall Jones, Municipal Administrator; Sean Kilkenny, Municipal Solicitor; Chief Mark Talbot, Norristown Police Chief; Jayne Musonye, Director of Planning & Development; Norman Butts, Director of Finance; Thomas Odenigbo, Director of Public Works; Amrinder Singh, Building and Codes Manager, Erica Genuardi, Director of Parks and Recreation.

Motion to Approve Minutes

There was a **motion by Councilwoman Scott-Cooper, seconded by Councilman Lepera**, to approve the Minutes of the August 5, 2020 Council Meeting. **The motion passed unanimously.**

Executive Session Announcement

Council President Perry announced that Council met in Executive Session prior to tonight's meeting to discuss litigation issues.

Announcements

"Montgomery Trail Challenge" - August 8 through December 6. Complete 10 trails and receive a prize. Go to montcopa.org/trailchallenge for more information.

CENSUS 2020 – please complete your Census. Norristown has a 50.8% completion rate and Pennsylvania has a 66.8% completion rate. The Census numbers determine how Federal money is spent in that community for a 10-year period.

Retrievr – this service will pick up used electronics, clothes, and some other items at your door. Go to Retrievr.com.

CENSUS yard signs will be available tomorrow. Call Councilwoman Scott-Cooper for details.

"Help a Single Parent" – due to virtual learning this semester, headphones will be donated to students. If you would like to donate, please contact Councilwoman Scott-Cooper or Councilwoman Sanders.

Public Comment

Maccabee Hirsh, 1745 North Hills Road

People of Norristown and council members,

The public opposition to the sewer sale is ever increasing. Remember Council, you are elected to serve the public. We have gone from

4, to 100, to over a 1000 in opposition to the sale. Council members, there's something systemically wrong with your continued disregard and unhinging position to continue with the sale as is. Share your due diligence in the form of documentation on how this sale will benefit Norristown. Be detailed in cost and benefit. Appropriate the money before moving forward and committing anymore to this financial venture. The cart is being put before the horse with the sale. At this point, I don't want a penny going to municipal hall if this is how the municipality conducts business.

I want to thank the Norristown sewer authority for continuing to serve the rate payers and their employees by tabling your request towards moving forward with the sale. Additionally, I protest not including councilman Hakim Jones in the sewer authority meeting on August 12th. Derrick Perry, you have appointed an unequal committee of 2-1 in favor of the sale to represent council. I speak for the 1000s against the sale, let councilman Jones be heard at the next meeting scheduled for September 9th at the Norristown Sewer Authority.

Sincerely,
Maccabee Hirsch

Harrison Farina, 327 S. Trooper Rd., Norristown, 19403

I urge the council to do whatever they can to prevent the Norristown Sewer sale to Aqua PA. Frankly, the city is making a bad deal with a predatory and profiteering company that has a history of doubling people's rates. Aqua will raise the rates on ordinary people like me. I am a renter and my landlord gives me the water bill; I cannot afford to pay more.

I am worried because the city is selling off our asset to a company that will own it forever. Where does this deal leave the citizens of Norristown? I talk to many people on the street and no one is convinced that this is a good deal for Norristown. They see it for what it is: a dangerous way to get a cash influx. But the long-term costs for us will be unimaginable. Water is the most basic need and I don't want to see shutoffs happening here. I am worried for our city and its future if we have to sell off our public assets just for quick cash. Please do not deliver the citizens of Norristown to this company.

Aqua is a bad company that uses treated water for fracking and making plastic for water bottles in Europe. We have to make sure our city and infrastructure serves the people, not profits!

Thank you,
Harrison Farina

David McMahon, 721 Haws Ave.

To the Public, the Board of the Waste Authority, and Council,

I would like to use this opportunity tonight to thank the board of the Norristown Municipal Waste Authority for their vote last Wednesday, Aug 12, to pause the purchase process for a moment. It is clear that as the public finds out more about this project, the more they dislike it. Our issue is with the deal itself - and its impact on the community - not with the very many projects this \$54 million would supposedly pay for. It is still our contention that of all the financing options available this is the worst choice for Norristown in the long term. We have yet to see very basic comparisons of possible funding options from council or the municipal administrator, though one would think it should have been part of any thorough investigation.

We hope the board of the authority takes this break in the process to find a way to include ratepayers and residents in their decision making process. We hold that in their own bylaws, not only can they include employees, customers, and communities in their decision making process, but that it is in fact among their duties to do so. We hope the council decides against taking any retaliatory steps against the board in fulfilling its duties. We hope dissolving the board is something council will take off the table. But be certain that every action that requires an ordinance to proceed down this route will be very carefully looked at and will be subject to the 30-day window to repeal by the public, as laid out in the Home Rule Charter.

To members of the public listening in, we want to make you aware of legislation introduced in the Pennsylvania State House attempting to reign in this new rush to privatize water systems. It is House Bill 2597 and we encourage you to call Representative Matt Bradford's Norristown office on this issue at 610-270-1150, Monday to Friday from 9 to 5. As he has past experience in Norristown Municipal government, and with the authority itself, he is someone well suited to understand the issue - although it is not clear yet if he stands by the side of ratepayers in our attempt to make ourselves heard on this.

Because there is still the possibility that the council will need to vote on additional ordinances in carrying out this transaction, I would encourage the members of the Council, individually, to seek out more information on sales of this type. There is time to reconsider, and while doing so go to the treatment plant, see for yourself how it is running and what they plan for the future. Talk to the members of the board yourselves. You will begin to understand why local control still matters so much. I would urge you to investigate the impact of this sale on Norristown - other than the wished-for gentrification. Read the recent report from the NAACP's Thurgood Marshall Institute entitled "Water/Color: A Study of Race and the Water Affordability Crisis In America's Cities" for a thorough look at what these types of sales can do. It is not too late to keep learning the issue and reevaluating the possibility of these extremely harmful impacts.

There is still time to revisit, reevaluate and turn back this corporate acquisition of our last major, valuable, publicly held asset.

Anthony and Felicia Anderson, 925 Hamilton St.

On Aug. 4, 2020 Storm Isaias caused 6 feet of water to flood our basement and ruin all our irreplaceable items such as pictures, photo albums, and will now have to replace the television, water heater, furnace, washer and dryer.

This could have been prevented if the area around the creek behind our house where the tree limbs, branches, trash are was cleaned up. Calls have been made for years before this happened by our neighbors about this area needing to be being cleaned up and the borough has not done anything.

The four houses on our side of the street had 5-6 ft of water that flooded our basements. When Mr. Amrinder Singh of the Norristown borough code and inspections came out on Aug. 7, 2020, he went door to door to see the damage, he was surprised by how bad it was. The flood came through two rooms of the basement and two steps from the kitchen. Our neighbor Steve showed him the video he had taken of the flood coming from the creek and he took him back and showed him the area that is full of trash, branches and trees that caused the flood for us. He told us it is Public Works department that handles this and he would let them know.

We are asking that our city council woman please come and tour the area so that she can see first-hand and see our basements and homes. This can allow her to let the borough know how bad this really, really was and what the borough can do their part in cleaning up this area. We are also asking for reimbursing us for damages for the lack of the borough cleaning up this area.

Thank you.

Rachel Fecho, 715 Noble St.

I am excited that council approved a Black Lives Matter mural. While only symbolic, and not systemic change, symbolism still matters. And it is a good message for Norristown to send: we believe that Black Lives Matter, here in Norristown and everywhere. However, systemic change needs to happen alongside symbolic gestures. So once again, I would like to address the issue of the sale of our public sewer system to a private for-profit company. Increased sewer rates and poorer water quality will disproportionately negatively affect the people in our community who are poor and working-class, and who are black, indigenous, and people of color. Increased sewer rates and poorer water quality will affect the quality of their lives more than a mural alone will. Trying to rush it through and release false information to the public, whether from the council president or Aqua PA president, will not change the public's opinion. Sewer rates WILL increase, and no matter who says they won't, it is the truth. The public deserves the truth, and the truth is that this is a bad deal for Norristown residents. They know it. And the more people that find out about it, the more people oppose it. And we are rallying them to fight it together. We will not go away, and we will not stop until what rightfully belongs to the public is safely back within the public's control.

Appointments

Resolution 20-70: Appointment to Citizen Boards and Committees

Request for Council to consider the following Appointments:

Keep Norristown Beautiful

Kristi Barletta (Appointment – member of Police)

Denise Hall (Appointment – member of Community)

George Nave (Appointment – member of Public Works)

Terms expiring December 31, 2022

There was a motion by Councilwoman Lewis, seconded by Councilwoman Scott-Cooper, to table this item. The motion passed unanimously.

Planning & Municipal Development

Request for Preliminary Land Development Approval – 750 Forrest Avenue

There was a discussion regarding the applicant's delinquent taxes and it was suggested that the applicant look into making an agreement regarding paying them.

There was a **motion by Councilwoman Scott-Cooper, seconded by Councilwoman Smith**, to deny the request for Preliminary Land Development Approval. **The motion passed unanimously.** Solicitor Kilkenny noted that the applicant has the ability to appeal the denial or re-submit the application.

Request for Preliminary/Final Land Development Approval – Montgomery County Justice Center

There was a discussion about the final project with some Council members suggesting that the residents should have been made aware of the presentation regarding the Justice Center prior to this Council meeting.

There was a **motion by Councilwoman Lewis, seconded by Councilman Lepera**, to table this request. **The motion passed unanimously.**

Business Concept Presentation for Baer Building on Main Street

Dominic Truelove, Mill Street Properties, presented a Power Point for a new business concept for 118-120 East Main Street (Baer Building) to gain feedback from Council. The Residential Mixed Uses include: the eSpot, Brew Pub/Sports Bar, Willis Brothers BBQ, Bike Shop/Car Detail, 15 Residential Units, Rooftop Bar and Yoga Studio. Mr. Truelove provided information about the business and the beneficial proximity and accessibility to other businesses and noted it provides multiple opportunities for jobs. He also requested Council's support for: LERTA, parking, Conditional Use, Variance, Economic Grant and HARB approval. The Power Point included items such as "Mission" "Our Strategy," "New Baer Building Revamped," "The eSpot," "Job Creations."

Director Musonye explained that an application will be brought before Council with a specific ask.

Municipal Administrator

Resolution No. 20-73: Norristown Gaming LLC Liquor License

There was a **motion by Councilman Jones, seconded by Councilwoman Lewis**, to open a Public Hearing to consider an adoption of Resolution 20-73 to approve a new Economic Development Restaurant Liquor License for premises located at 118-120 East Main Street. **The motion passed unanimously.**

Solicitor Kilkenny introduced Joe Van Wyk, Attorney for the applicant, to provide legal information to Council about the Resolution and he introduced Robert Fink who could provide information about the application.

Solicitor Kilkenny posed questions to Mr. Van Wyk regarding types of liquor that can be sold and the hours during which they can be sold. Mr. Van Wyk explained that obtaining a Resolution is the first step followed by an application to the PA Liquor Control Board and then there's a procedure to be followed with them involving an Administrative Hearing which would result in either a denial or approval of the license. He suggested that residents in favor of this should come to the Administrative Hearing to testify on behalf of the applicant.

Solicitor Kilkenny suggested that Council could continue the hearing to another date or close the hearing and vote on the Resolution.

There was no Public Comment.

There was a **motion by Councilwoman Scott-Cooper, seconded by Councilman Lepera**, to close the Public Hearing. **The motion passed unanimously.**

There was a **motion by Councilwoman Lewis, seconded by Councilwoman Scott-Cooper**, to approve Resolution 20-73. **The motion passed unanimously.**

Finance

Discussion on Preliminary 2021-2025 Capital Improvements Plan

Norman Butts, Finance Director, provided Council with a 4-page discussion document regarding the 2021-2025 Capital Improvements Plan. He referenced the spreadsheet highlighting the projects that would utilize the CIP funds, including the Municipal building renovation, continuation of the Stormwater Utility Implementation project, Feasibility Study for the Norristown State Hospital project, Saw Mill Creek Culvert Rehabilitation, a new Fire Station, a new Fire Engine, the Arch Street Greenway project and the Main Street Streetscape. He also updated Council on current projects in Public Works and Parks & Recreation.

Municipal Administrator Jones suggested to Council that they review this document, make any additions or comments for the next Council meeting and it will be brought back for a future formal adoption.

Council President Perry asked that the information regarding the first Capital Improvement Plan be made available to the public.

Building and Codes Enforcement

Historical Architectural Review Board – July 2020

Amrinder Singh, Building and Codes Manager, provided information regarding the HARB applications. The addresses are: 23 East Airy Street, 540-542 Chain Street, 547-549 Chain Street, 555 Chain Street, 525 George Street, 1227 West Airy Street, 550 George Street, 551 Chain Street, 515 Cherry Street and 553 Chain Street.

There was **a motion by Councilwoman Smith, seconded by Councilwoman Lewis**, to approve the applications received, reviewed and recommended by the HARB. **The motion passed unanimously.**

Parks and Recreation

Application for the Keystone Communities Grant through DCED – this grant will fund the upgrades for Bartash Park

Erica Genuardi, Parks and Recreation Director, requested approval to apply for funding to make upgrades to Bartash Park. It is a matching \$50,000 grant. Ms. Genuardi also provided an update of the status of the Recreation Center since the flood damage.

There was **a motion by Councilman Jones, seconded by Councilwoman Smith**, to approve the application for the Keystone Communities Grant through DCED. **The motion passed unanimously.**

There was **a motion by Councilwoman Scott-Cooper, seconded by Councilwoman Sanders**, to open the agenda for a request to advertise Ordinance 20-13 to dissolve the Norristown Municipal Waste Authority and to convey the sewer system and all assets to the Municipality pursuant to the Municipal Authorities Act. **The motion passed 5-2 (nays from Councilman Jones and Councilwoman Smith.)**

Solicitor Kilkenny read the Ordinance. The transition deadline is October 6, 2020. He noted the Municipality will pay all outstanding obligations pursuant to Section 5622 of the Municipal Authorities Act. The Municipal Council authorizes the operation of the system and staff to prepare for the transition to own, operate and maintain the system for its residents and all properties of the Authority to the Municipality pursuant to the Act.

The Authority is prohibited from taking any action. Agreements between the Municipality and the Authority shall be null and void.

Public Comment: Rachel Fecho, 715 Noble Street, Norristown – She said that Council “should be ashamed about dissolving the Sewer Authority and your hope of a legacy of all these amazing projects that were done in Norristown under your leadership” and “when the rates go up the public may not associate you with that but I want you to be aware that the public is becoming more aware and they will understand and they will know that the legacy really is that you’re taking a pay day loan now that the residents will pay off later.”

There was a **motion by Councilwoman Scott-Cooper, seconded by Councilwoman Lewis**, to advertise Ordinance 20-13 to dissolve the Norristown Municipal Waste Authority pursuant to the Municipal Authorities Act. **The motion passed 5-2 (nays from Councilwoman Smith and Councilman Jones.)**

Adjournment

There was a **motion to adjourn the virtual Work Session by Councilman Jones, seconded by Councilwoman Smith. The motion passed unanimously.** There being no further business, the meeting was adjourned.

Respectfully submitted by Roseann M. Santangelo, Clerk of Council