

NORRISTOWN MUNICIPAL WORK SESSION
APRIL 20, 2021

The Council Work Session of April 20, 2021 was called to order by Council President Derrick Perry at 6:30 PM by way of the virtual gotomeeting.com application.

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

Valerie Moman
Rebecca Smith

Hakim Jones
Thomas Lepera

Sonya Sanders
Derrick Perry

Heather Lewis

Also signed in were: Crandall Jones, Municipal Administrator; Chief Mark Talbot, Norristown Police Chief; Patrick Hitchens, Acting Municipal Solicitor; Jayne Musonye, Director of Planning & Development; Kathy Pfister, Director of Finance; Thomas Odenigbo, Director of Public Works; Amrinder Singh, Code Manager.

Motion to approve Minutes

There was a **motion by Council Vice President Lepera, seconded by Councilwoman Sanders**, to approve the Minutes from April 6, 2021. **The motion passed unanimously.**

Executive Session

Council met in Executive Session to discuss litigation issues.

Presentation

Proclamations honoring the Norristown Area High School Girls Volleyball Team and Boys Soccer Team

Council President Perry first read the Proclamation honoring the Girls Volleyball Team for winning the United 10 Championship Game. Coach Connie Randolph commented, "These are 10 awesome girls" and she thanked the Norristown Police Department for honoring them with a parade. Council President Perry also read the Proclamation honoring the Boys Varsity Soccer Team as United 10 Championship winners. Coach Pinnock thanked the boys. Council President Perry proclaimed April 20, 2021 as "Norristown Area High School Girls Volleyball Team Day" and "Norristown Area High School Boys Varsity Soccer Team Day."

Announcements

Victory Church will sponsor a Job Seminar via Zoom on May 1, 2021 from 10 am to 1 pm. Ages 16-25 – register on site.

Reputable Solutions Home Care Food Drive, 316 West Poplar Street, Norristown. May 15, 2021 from 12 to 4.

Norristown Community Resource Fair – Saturday, April 24th from 12 noon to 3 pm in the Dekalb Street parking lot adjacent to the Courthouse. For those who have been convicted of non-violent marijuana-related offenses.

Public Comment

Rachel Fecho, 715 Noble St.

In addition to the statement from the members of the NOPE Coalition, myself included, I also person-

ally want to urge you not to approve the appointment of Sonya Sanders to the Municipal Waste Authority Board. Apparently, council members have had places on this board in the past, but Norristown's charter seems to prohibit this. To appoint a council member to the board despite what is laid out in the charter would demonstrate a continued disrespect for the way a municipal council should operate with integrity. Your constituents should not have to repeatedly create referendum ordinances in order to keep our elected representative accountable, but we will do this again if need be, and as you now know, we are able to get it done. It is clear that the proposed appointment of Councilperson Sanders to the NMWA Board is for the purpose of pursuing its sale, and this flies in the face of the clearly displayed community opposition to it. The municipality has (or will be receiving) millions of dollars from the Cares Act, and potentially millions more from an infrastructure bill, and as has been demonstrated clearly, there are still yet additional ways to fund development other than selling our public assets. Follow the charter, listen to your constituents. Don't appoint a councilperson to the sewer board, don't sell the sewer.

Netta Johnson, 1004 Arch St.

Greetings All,

A few weeks ago Steve Harvey hosted an enjoyable evening of entertainment with Earth Wind & Fire and the Isley Brothers. Hours and hours of hits from the past.

The one song that comes to mind and is so appropriate for right now is by the Isley Brothers, "Here We Go Again." They rocked that song back in the day, and I'm playing it in my head as I think about what this council is up to now.

Well, the voters of Norristown told you what they wanted and you are still going to try and back door them with appointing Sonya Sanders to the Sewer Authority Board to get your way. Blatant disrespect. Gary Simpson now Sonya?

I don't know who will be the benefactors from this sale, but it won't be the residents of Norristown. We will end up paying. What I do know, is that all of you (minus Councilman Jones and Councilwoman Smith) are making it quite intriguing not just to me but to the Norristown community and we are paying attention.

Why are you wanting to appoint Sonya? When any one of you can attend a sewer authority meeting if there is a need to know what they are doing. Have you attended any meetings since November 2020?

Maybe not, because Gary is reporting to you. Which is okay because that is his assignment.

Why are you wanting to appoint Sonya? So you can stack the sewer authority board to get the votes to sell the plant or for Norristown to acquire it and have it managed by Crandall. Voters said no.

The voters have spoken and will continue to speak up. Norristown residents deserve better and you need to stop with the shenanigans for your own personal and/or patronage gain.

One last thing, we have new residents, voters that are coming into town with new ideas and wanting to be involved. They are engaged and willing to listen. They are proficient in various subject matters and willing to really help the residents of Norristown be a better US.

Just remember, the voters have spoken and said no!

Best regards,

Netta Johnson

David McMahon, 721 Haws Ave.

Good evening,

I would like to share with the public here tonight the letter I sent yesterday to the members of Norristown Municipal Council concerning the appointment of a fellow Councilmember to our Norristown Municipal Waste Authority.

Dear President Perry and Members of Norristown Council,

We see from the agenda for the work session tomorrow, Tuesday 20th that you will be considering the appointment of Sonya Sanders to the Norristown Municipal Waste Authority. This will be the second appointment to the Authority in a few months, and in the interest of allaying public concerns that this Council is looking to

shape a new Sewer Authority that will be agreeable to a future sale of our public utility, we would ask that you appoint someone who does not have a record of multiple votes in favor of the sale of our system. We would ask that Sonya Sanders take a pledge to neither dissolve the sewer authority nor sell our sewer system without a public referendum on the issue.

We would ask that all Councilmembers factor in Councilmember Sanders' choice of pledging or not pledging in considering her appointment. Namely if she does not pledge to keep our public utility under local control that they do not vote in favor of her appointment.

We would also ask this Council to create and adopt an ordinance that requires that the sale of any public asset valued more than \$1 million to be subject to a public referendum. We would prefer not to create an ordinance through the citizen provision in the Norristown Home Rule Charter but do know that it is a power granted to this community through our charter.

Thank you for your consideration on these matters.

Signed
David McMahon
Rachel Fecho
Netta Johnson
David M Hodo

Additionally, I want to bring to the attention of the council that even above and beyond asking Councilmember Sanders to pledge to protect our public utility. It's not even remotely clear that this type of appointment is even permitted. Article III of Norristown's Home Rule Charter, which addresses the legislative branch, lays out prohibitions on holding other offices including "an appointed office in the government of the municipality." That is in Article III subsection 41.3-304 part A.

Now if this Council can create and dissolve the Norristown Municipal Waste Authority how is that the Authority as an entity is not part of the municipal government? A plain text reading of our charter would indicate that this kind of appointment is prohibited. The fact that this practice has happened in the past does not mean it should be permitted going forward. This item should be taking off tonight's agenda.

Lastly, I want to mention one other thing to the public tonight, that in addition to trying to create our own ordinance requiring a referendum on the sales of major public assets there's also currently a way we can help get something like this passed at the state level. House Bill 144 is currently being considered in the state legislature – the General assembly, and our representative Matt Bradford needs to hear from you. This is another way that we can get a referendum on sales of our public utilities both in our state and in our town – and our Representative is a major player in the Democratic Party at the state level. His silence on this issue was doing all the talking for him. He knows this issue well – he has been a solicitor for the Sewer Authority in the past, has been a Municipal Administrator in Norristown in the past and he voted in favor of Act 12 in 2016 which kicked off this gold rush to buy up public utilities in Pennsylvania. Call his Norristown office tomorrow, please. The number is 610-270-1150.

Sincerely,
David McMahon
721 Haws Ave.
Norristown

Appointments

Resolution 21-42: Appointments to various Advisory Boards, Committees and Commissions

There was a motion by Council Vice President Lepera, seconded by Councilwoman Moman, to appoint Sonya Sanders to the Norristown Municipal Waste Authority. The motion passed 4-2 with Councilwoman Sanders recusing herself.

Police

Resolution 21-34: Motion to approve requests for Disabled Parking Spaces

Chief Talbot noted that there is no longer a need for a Disabled Parking Space at 364 E. Moore Street.

There was a motion by Councilwoman Sanders, seconded by Councilwoman Smith, to approve requests for Disabled Parking Spaces for:

521 E. Basin Street
408 E. Moore Street
428 E. Spruce Street

The motion passed 6-0 (Council Vice President Lepera was not available for voting.)

Parks and Recreation

Resolution 21-38: the authorization of contracts by the Municipal Council for the Recreation Center and field flood damage

There was a motion by Councilwoman Moman, seconded by Councilwoman Smith, to authorize the following contracts in the amount of \$387,936.00:

Park O'Rourke Association for painting in the amount of \$100,276.00
Park, Inc. DBA Klinghoffer Carpet for Flooring in the amount of \$69,900.00
EC Fence & Iron Works, Inc. for fencing in the amount of \$128,760.00
James R. Kenney Excavation & Paving for fields in the amount of \$89,000.00

The motion passed unanimously.

Resolution 21-39: The authorization of a Change Order for additional electrical work from Park O'Rourke Associates

Mr. Crandall Jones noted there are additional repairs needed.

There was a motion by Councilwoman Smith, seconded by Councilwoman Lewis, to authorize the Change Order. The motion passed 6-0 (with Council Vice President Lepera not available for voting.)

Municipal Administrator

Council discussion on establishing a process for limited Municipal maintenance of private alleys

After discussing this matter, it was determined that a Resolution regarding this issue will be brought before Council for their consideration in the future.

Request of Council to approve advertisement of Ordinance 21-06 establishing the Norristown

Stormwater Authority

Following discussion on the topic, there was a **motion by Councilman Jones, seconded by Councilwoman Moman**, to approve the advertisement of Ordinance 21-06. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Verizon Right-of-Way Use Agreement

Crandall Jones provided an explanation of the Right-of-Way Use Agreement.

There was a **motion by Councilwoman Moman, seconded by Councilwoman Smith**, to approve the ROW Use Agreement for the placement of wireless telecommunications network equipment or 3rd party equipment on Municipality right-of-way. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Resolution 21-41: Change Order for JPS Construction, Inc. in the amount of \$30,000 for Sawmill Culvert Repair

There was a **motion by Councilman Jones, seconded by Councilwoman Sanders**, to approve Resolution 21-41 for JPS Construction Company for Sawmill Run Creek Culvert replacement services. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Planning & Municipal Development

Resolution 21-35: Final award of \$177,836.00 to G&B Construction out of Willow Grove, PA for the Arch Street Greenway Project Phase I construction project

Planning Director Jayne Musonye provided details about the improvements being proposed.

There was a **motion by Councilwoman Smith, seconded by Councilwoman Sanders**, to approve Resolution 21-35 for the final award to G&B Construction. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Request to ratify the submission of a Redevelopment Assistance Capital Program (RACP) grant application for the Main and Dekalb Street project

There was a **motion by Councilwoman Moman, seconded by Councilwoman Sanders**, to approve ratifying the submission of a RACP grant application. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Resolution 21-36: To award a contract to Mullin & Lonergan Associates Incorporated, to prepare a Blight Study and Redevelopment Area Plan for the former Norristown State Hospital Site in Norristown, PA in the amount of \$24,000.

Director Musonye provided details.

There was a **motion by Councilwoman Moman, seconded by Councilwoman Sanders**, to approve Resolution 21-36 to award a contract to Mullin & Lonergan Associates, Inc. to prepare a Blight Study and Redevelopment Area Plan. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Resolution 21-37: To award a contract to The Enterprise Center (TEC) in the amount of \$42,274.13 for

professional technical assistance for the Norristown Small Business Assistance Center (NSBAC)

There was a **motion by Councilman Jones, seconded by Councilwoman Sanders**, to award a contract to The Enterprise Center (TEC) for professional technical assistance in compliance with Section 7-713 of the Home Rule Charter and Section 4-35(A)(6) of the Administrative Code. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Request authorization to advertise proposed Notice of Amendment to the 2010-2014 Consolidated Plan and the 2020-2024 Consolidated Plan

There was a **motion by Councilwoman Smith, seconded by Councilman Jones**, to approve the proposed amendment and authorization to advertise the reprogramming of unobligated funds from FY 2014 in the amount of \$121,037.12. The funds are for the reprogrammed FY 2021 to cover the interest and additional principal payment for the Section 108 loan. **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Resolution 20-40: request for Final Land Development approval for 257 E. Main Street

John Anderson, Project Engineer, provided a Power Point of the project. He noted his group will comply with all comments in the April 13, 2021 Pennoni Letter including 2 Waivers.

There was a **motion by Councilwoman Smith, seconded by Council President Perry**, to approve the request for Final Land Development for 257 E. Main Street by DB Housing Group LLC (c/o Brian Corcodillos.) **The motion passed 5-0 (with Council Vice President Lepera and Councilwoman Lewis not available for voting.)**

Adjournment

There was a **motion by Councilwoman Smith, seconded by Councilwoman Moman**, to adjourn the Council Meeting. **The motion passed unanimously.**

Respectfully submitted,

Roseann M. Santangelo, Clerk of Council