

BOROUGH OF BOYERTOWN COUNCIL MEETING
October 3, 2016

The regular meeting of the Boyertown Borough Council was called to order at 7:00 p.m. by Council President Frank Deery. Council members present in addition to Mr. Deery were Charles Heller, Barry Christman, Lorraine Carnes, Keith Endy, Terry Mest, and Gene Gabel.

Also in attendance were Marianne Deery, Mayor; Michele Mayfield, solicitor; Patricia Loder, Borough Manager; Adrienne Blank, Main Street Manager; Karl Weiss, architect representing the Boyertown Museum of Historic Vehicles, interested citizens, and press representatives.

All rose for the Pledge of Allegiance.

Mr. Deery called for public comments on the agenda; and recognized Mr. Clayton Leister who addressed Borough Council on numerous matters including his opposition to the Monroe Street Driveway related to the Senior High School Project being a private driveway and not an ordained street; complaint that Borough Council denies individuals the right to be listed on the agenda; noted that he volunteered to serve on the Zoning Hearing Board; noted that vacancies should be advertised, and noted that the minutes from the previous Council Meeting should note that he volunteered to serve on the Zoning Hearing Board.

Mr. Deery called for a motion to approve the minutes of September 6, 2016 meeting of Council. The motion was made by Mr. Gabel, seconded by Mr. Christman, and approved.

Finance, Charles Heller

Mr. Heller made a motion, second by Mrs. Carnes, to approve the lists of Revenues, Expenditures and Bills for September 2016. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved. The following is a summary of the Financial Report:

General Fund	
Balance In Bank 8/31/16	\$609,816.52
Receipts	100,852.76
Expenditures	94,980.91
Balance in Bank 9/30/16	\$615,688.37
Tank Maintenance Fund	
Balance in Bank 8/31/16	\$208,952.30
Receipts	25,004.14
Expenditures	0.00
Balance in Bank 9/30/16	\$233,956.44
Water Fund	
Balance in Bank 8/31/16	\$820,720.96
Receipts	128,763.23
Expenditures	180,402.64
Balance in Bank 9/30/16	\$769,081.55

Sewer Fund	
Balance in Bank 8/31/16	\$608,308.74
Receipts	83,701.72
Expenditures	117,959.22
Balance in Bank 9/30/16	\$574,051.24
Recreation Fund	
Balance in Bank 8/31/16	\$77,240.06
Receipts	65.74
Expenditures	7,000.00
Balance in Bank 9/30/16	\$70,305.80
Colonial Corners Fund	
Balance in Bank 8/31/16	\$117,707.71
Receipts	1,126.54
Expenditures	319.60
Balance in Bank 9/30/16	\$118,514.65
Capital Construction Sewer	
Balance in Bank 8/31/16	\$.84
Receipts	.00
Expenditures	.00
Balance in Bank 9/30/16	\$.84
Capital Improvement General	
Balance in Bank 8/31/16	\$1,085,568.47
Receipts	99.71
Expenditures	190,582.02
Balance in Bank 9/30/16	\$ 895,086.16
Forest Management	
Balance in Bank 8/31/16	\$ 78,351.23
Receipts	1.31
Expenditures	0.00
Balance in Bank 9/30/16	\$ 78,352.54
Capital Improvement Water Fund	
Balance in Bank 8/31/16	\$ 785,906.13
Receipts	25,029.44
Expenditures	4,461.33
Balance in Bank 9/30/16	\$ 806,474.24
Capital Improvement Sewer Fund	
Balance in Bank 8/31/16	\$ 366,962.91
Receipts	25,013.26
Expenditures	0.00
Balance in Bank 9/30/16	\$ 391,976.17

Liquid Fuels Fund	
Balance in Bank 8/31/16	\$ 133,156.55
Receipts	25.88
Expenditures	80,000.00
Balance in Bank 9/30/16	\$ 53,182.43
Land Development Escrow	
Balance in Bank 8/31/16	\$ 6,424.76
Receipts	0.00
Expenditures	0.00
Balance in Bank 9/30/16	\$ 6,424.76

Mr. Heller made a motion to authorize the Council President to execute a 3-year contract with the Police Bargaining Unit. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Heller then briefly reviewed with the members the cost provided by Roger Lehmann, Boyertown Lions Club, to pave the parking lot portion of the proposed Pickle Ball Court. The Borough's cost to pave the parking portion of the lot is \$14,615. Following discussion, Mr. Heller made a motion, second by Mr. Christman, to authorize paving the parking portion of the proposed Pickle Ball Court at the proposed cost of \$14,615. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Public Utilities - Water, Keith Endy

The following Water Supply and Use Report was submitted for the month of September 2016: During the month of September a total of 22,876,000 gallons of water was processed through the water filter plant for an average of 789,000 gallons per day.

The totals came from these sources:

Trout Run	17,733,000
Ironstone	3,866,000
Boyertown Reservoir	1,277,000
Pumping from Trout Run	29 days
Pumping from Ironstone	18 days

Trout Run is at a level of 584.17 feet with approximately 168,000,000 gallons of water. Popodickon Reservoir is at a level of 35 feet with approximately 27,100,000 gallons of water. Precipitation in September was 3.8 inches.

Mr. Endy then made a motion, second by Mr. Heller, to authorize the Council President to execute a right-of-way agreement with Met-Ed for an overhead single phase wire crossing on Englesville Road Cannon Hill Property owned by the Borough. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Public Utilities – Sewer, Keith Endy

The following Wastewater Treatment Report was submitted for the month of September 2016:

	Average Effluent	NPDES Maximum Allowed
B.O.D.	3.00 mg/1	20.0 mg/1
Ammonia Nitrogen	.3 mg/1	1.6 mg/1
Phosphorus	1.00 mg/1	1.5 mg/1
Suspended Solids	8.0 mg/1	20.0 mg/1
Fecal Coliform	24/100 mg/1	200/100 mg/1

The average daily flow at the Wastewater Treatment Plant during the month of September was 330,000 gallons.

Public Works, Barry Christman

The following report on the activities of the Street Department personnel during the month of September 2016 was submitted:

During the month of September street department personnel swept streets, patched streets and alleys, painted street lines and yellow curbs, cleaned catch basins, and performed routine maintenance on borough owned equipment, vehicles and property.

House, Gene Gabel

Mr. Gabel made a motion, second by Mrs. Carnes, to authorize the Council President to execute the Park Use Agreement with the Relay for Life of Boyertown for use of the community Park on June 24th and 25th, 2017. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Gabel then made a motion, second by Mrs. Carnes, to approve Resolution Number 10-03-2016 appointing Robert Miller, to the Zoning Hearing Board to complete the unexpired term of Thomas Heeney, term to expire 2019. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Gabel also made a motion, second by Mrs. Carnes, to approve Resolution Number 10-03-2016A appointing Randall Dittman as an alternate member of the Zoning Hearing board term to expire 2020. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Public Communication, Lori Carnes

Mrs. Carnes made a motion, second by Mr. Heller, to authorize the Borough Manager to release the Borough Council Newsletter dated October 3rd, 2016. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Park and Recreation Board, Lori Carnes

Mrs. Carnes reported that the Fall Festival will be held at the Community Park on October 8th with a rain date of October 9th.

Planning, Frank Deery

Mr. Deery submitted the Code Enforcement Report for the month of September. The report reflected the issuance of five UCC Permits, and four zoning permits. The Miscellaneous Permits Report reflected the issuance of five yard sale permits and two curb and sidewalk permits. Numerous Notices of Violation were issued for grass and weed violations and general property maintenance code violations. In addition, twenty five rental unit inspections were performed.

Mr. Deery then made a motion, second by Mr. Endy, to approve the Boyertown Area School District Land Development Plan Driveway Extension conditioned upon submission of a complete set of plans, including any sheets that were part of the original approval and not revised, and meeting all requirements of the engineers’ review letter dated August 26th, 2016. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Deery then recognized Mr. Karl Weiss, representing the Boyertown Museum of Historic Vehicles, who reviewed with the members a plan to construct a minor addition of 611 square feet on the east end of the museum facility at 85 South Walnut Street. This addition will provide an ADA compliant path from the main exhibit area to the library and direct entry point to the library for visitors conducting research and not touring the exhibit areas. Due to the limited scope of the work related to the addition, the museum is requesting a waiver from submission of a Land Development Plan. It was noted that the matters relating to the project are technical not planning in nature and therefore a waiver from submission of a Land Development Plan is not unreasonable.

The Planning Commission agreed with the waiver request conditioned upon submission of a storm water plan in accordance with the storm water ordinance and reimbursement of all engineering and legal fees incurred by the Borough related to review of the project.

Following discussion, a motion was made by Mr. Deery, seconded by Mr. Gabel, to grant a waiver from submission of a Land Development Plan to the Boyertown Museum of Historic Vehicles conditioned upon submission of a storm water plan and agreement to pay all legal and engineering fees related to review of the project. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery then made a motion, second by Mr. Gabel, to accept a 90 day time extension for review of the Campbell Fittings Land Development Plan. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Police and Public Safety, Terry Mest

Mr. Mest made a motion, second by Mr. Heller, to approve handicap parking requests for 205 West 6th Street and 29 Apple Street. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Mest then made a motion, second by Mrs. Carnes, to authorize the Council President to execute an agreement with the North Central Highway Safety Network, Inc. for participation in the DUI Enforcement Project. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Police Activities, Mayor Marianne Deery

The following Police Activities Report for the month of September 2016 was submitted:

Calls for Service	316
Traffic Complaints	114
Non-Traffic Complaints	151
Traffic Arrests	37
Non Traffic Arrests	26

The Mayor’s activity report for the month of September reflected that Mayor Deery attended meetings of Building a Better Boyertown, Holiday Open House Committee, Berks Municipal Partnership, volunteered at Duryea Day, was a guest speaker at the hometown Heroes event sponsored by Boyertown Alumni Band and Marching Unit, performed a wedding and toured the renovated State Theatre.

Building a Better Boyertown, Adrienne Blank Main Street Manager

Ms. Blank updated the members on various matters relating to the BBB including the success of the Octoberfest event, hiring of an Assistant Main Street Manager, planting trees around the railroad yard, and two ribbon cutting ceremonies to be held on October 14th for the Peppermint Stick Candy Store and Revamp Hair Salon. In addition Ms. Blank noted that the ghost walks have been well received.

Ms. Blank also reviewed with the members a Tree Vitalize Grant application for funds to plant twelve trees at various locations within the public right of way at the request of the property owners. Ms. Blank also noted that the Tree Committee would like to plant three trees at the Boyertown Community Park in the vicinity of the main parking lot; no specific location for these trees has been selected at this time. Ms. Blank noted that she will work with the Park and Recreation Board and Borough Council to select the location for the trees.

Mr. Endy made a motion, second by Mrs. Carnes, to authorize the Council President to execute the Tree Vitalize Grant. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Solicitor

Mr. Deery then made a motion to authorize execution of the Agreement of Sale with BB&T Bank for the purchase of 16 West Philadelphia Avenue, 20 West Philadelphia Avenue, 25 South Reading Avenue and 27 South Reading Avenue for a purchase price of \$1.00. The motion was seconded by Mrs. Carnes. At the request of Solicitor Mayfield, Mr. Deery amended his motion to authorize obtaining title insurance on the properties. The amendment to the motion was seconded by Mrs. Carnes. The roll call vote on the amendment reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved. The roll call vote on the original motion reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Deery noted that BB&T Bank will make an announcement sometime in October concerning the building donations. Mr. Deery also noted that the Borough’s tentative plans for the buildings are to relocate Borough Hall including the police department to the new locations.

Public Comments

Mr. Deery called for public comment; and recognized Mr. Clayton Leister who commented about the Borough trapping cats in his neighborhood, and the need for residential parking on North Washington Street.

There being no further business to conduct a motion to adjourn the meeting at 8:12 p.m. was made by Mrs. Carnes and second by Mr. Christman. The next meeting of Boyertown Borough Council will be held on Monday, November 7th, 2016 at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder
Borough Secretary