

BOROUGH OF BOYERTOWN COUNCIL MEETING
May 1, 2017

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; Christopher Hartman, solicitor; Patricia Loder, Borough Manager; Emma Dinnocenti, Assistant Main Street Manager, Allen Steffy, President Building A Better Boyertown; John Aston, Aston Surveyors and Engineers, Inc.; Tina Boyd, candidate for Judge Court of Common Pleas, interested citizens, and a press representative.

All rose for the Pledge of Allegiance.

Mr. Deery called for public comments on the agenda; no comments were forthcoming.

Mr. Deery recognized Mrs. Tina Boyd who addressed the Council on her qualifications for Judge of the Court of Common Pleas.

Mr. Deery then called for a motion to approve the minutes of the April 3, 2017 meeting of Council. The motion was made by Mr. Gabel, second by Mr. Heller and approved by the membership present.

Finance, Charles Heller

Mr. Heller made a motion, second by Mr. Mest, to approve the lists of Revenues, Expenditures and Bills for April 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. The following is a summary of the Financial Report:

General Fund	
Balance In Bank 3/31/17	\$186,199.78
Receipts	414,502.06
Expenditures	126,199.76
Balance in Bank 4/30/17	\$474,502.08
Tank Maintenance Fund	
Balance in Bank 3/31/17	\$252,836.56
Receipts	330.67
Expenditures	0.00
Balance in Bank 4/30/17	\$253,167.23
Water Fund	
Balance in Bank 3/31/17	\$548,853.34
Receipts	438,066.76
Expenditures	289,773.62
Balance in Bank 4/30/17	\$697,146.48

Sewer Fund	
Balance in Bank 3/31/17	\$557,884.18
Receipts	173,082.68
Expenditures	138,929.60
Balance in Bank 4/30/17	\$592,037.26
Recreation Fund	
Balance in Bank 3/31/17	\$72,203.49
Receipts	10,270.30
Expenditures	2,958.00
Balance in Bank 4/30/17	\$79,515.79
Colonial Corners Fund	
Balance in Bank 3/31/17	\$113,776.78
Receipts	828.71
Expenditures	3,985.95
Balance in Bank 4/30/17	\$110,619.54
Capital Improvement General	
Balance in Bank 3/31/17	\$ 951,630.14
Receipts	121,022.95
Expenditures	41,483.73
Balance in Bank 4/30/17	\$1,031,169.36
Forest Management	
Balance in Bank 3/31/17	\$ 78,518.06
Receipts	106.45
Expenditures	1,504.75
Balance in Bank 4/30/17	\$ 77,119.76
Capital Improvement Water Fund	
Balance in Bank 3/31/17	\$ 899,539.72
Receipts	1,168.49
Expenditures	0.00
Balance in Bank 4/30/17	\$ 900,708.21
Capital Improvement Sewer Fund	
Balance in Bank 3/31/17	\$ 417,426.11
Receipts	526.73
Expenditures	0.00
Balance in Bank 4/30/17	\$ 417,952.84
Liquid Fuels Fund	
Balance in Bank 3/31/17	\$ 154,577.46
Receipts	93.33
Expenditures	0.00
Balance in Bank 4/30/17	\$ 154,670.79

Land Development Escrow	
Balance in Bank 3/31/17	\$ 6,424.76
Receipts	0.00
Expenditures	0.00
Balance in Bank 4/30/17	\$ 6,424.76

Mr. Heller then made a motion, second by Mrs. Carnes, to adopt Ordinance Number 02-2017 amending the Code of the Borough of Boyertown, Chapter 10, entitled Fire Department, to add a new part entitled "Emergency Cost Reimbursement". 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 made a motion, second by Mr. Endy, to approve Resolution Number 05-01-2017 to amend the Schedule of Fees for permits, licenses, and water and sewer charges. 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 also made a motion, second by Mr. Gabel, to authorize the Borough Manager to execute the proposal provided by McCarthy Engineering for engineering and design services related to the Borough Hall Renovation Project in the amount of \$18,175. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. Mrs. Carnes cast a "no" vote. The motion was approved.

Public Utilities - Water, Keith Endy

The following Water Supply and Use Report was submitted for the month of April 2017: During the month of April a total of 17,672,000 gallons of water was processed through the water filter plant for an average of 655,000 gallons per day.

The totals came from these sources:

Trout Run	1,060,000
Ironstone	5,617,000
Boyertown Reservoir	10,995,000
Pumping from Trout Run	6 days
Pumping from Ironstone	18 days

Trout Run is at a level of 583.67 feet with approximately 168,000,000 gallons of water. Popodickon Reservoir is at a level of 34.6 feet with approximately 38,000,000 gallons of water. Precipitation in April was 1.8 inches.

Mr. Endy then made a motion, second by Mr. Heller, to authorize the Council President to execute the Agreement with PFM Financial Advisors LLC for financial advisory services to perform an analysis to determine the estimated value of the water and sewer systems. 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 April 2017:

	Average Effluent	NPDES Maximum Allowed
B.O.D.	3.00 mg/1	20.0 mg/1
Ammonia Nitrogen	.4 mg/1	4.8 mg/1
Phosphorus	.71 mg/1	1.5 mg/1
Suspended Solids	7.3 mg/1	20.0 mg/1
Fecal Coliform	2/100 mg/1	200/100 mg/1

The average daily flow at the Wastewater Treatment Plant during the month of April was 490,000 gallons.

Public Works, Barry Christman

The following report on the activities of the Street Department personnel during the month of April 2017 was submitted:

During the month of April street department personnel performed responsibilities relating to the MS4 Permit for storm water facilities, installed new street signs as needed, replaced the driveway bridge at the Community Park and performed various other maintenance projects at the Community Park and Franklin Street Mini Park, as well as performing routine maintenance on borough vehicles, equipment and property.

House, Gene Gabel

Mr. Gabel made a motion, second by Mr. Endy, to authorize the Council President to execute the Park Use Agreement with the Lewis & Clark Circus for use of the Community Park on June 9th, 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.

Public Communication, Lori Carnes

No report

Park and Recreation Board, Lori Carnes

Mrs. Carnes reported that Earth Day in the Boyertown Community Park was held on April 22nd and was well attended even though it was a rainy day. The Community Park Bear “Parker” was unveiled at the Earth Day festivities. Mrs. Carnes also reported that the Sensational Summer Sponsorship forms were mailed and that there is still time to sponsor if anyone is interested. Mrs. Carnes also reminded everyone that Fun Days is the board’s next event, scheduled for Thursday, Friday and Saturday, June 1st, 2nd, and 3rd.

Planning, Frank Deery

Mr. Deery submitted the Code Enforcement Report for the month of April. The report reflected the issuance of five UCC Permits, and four zoning permits. The Miscellaneous Permit Report reflected the issuance of two street opening permits, and four yard sale permits. Follow up inspections were performed on numerous Notices of Violation issued for general property maintenance code violations, three Notices of Violation were issued for grass and weeds, seven citations are pending. In addition, eleven rental unit inspections were performed, and 50 rooms were inspected in two Rooming Houses.

Mr. Deery then made a motion, second by Mr. Endy, to grant the request submitted on behalf of the Campbell Fittings Land Development Plan for a waiver from the following Sections of the Subdivision and Land Development Ordinance, Section 4.31, 7.34, 7.24, 7.23, 4.3528 and 4.35498, conditioned upon the applicant planting a minimum of five trees in accordance with the SALDO, with the understanding that the tree species planted will be chosen from the Official Street Trees Species list approved by Resolution adopted by Borough Council, and to include a note on the plan stating that the property owner may be required to install sidewalk along Englesville Road at any time in the future by the Borough and/or the Township at their sole discretion. 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 also made a motion, second by Mr. Heller, to approve the Campbell Fittings Land Development Plan conditioned on compliance with all items listed in the SSM, Inc. review letter dated April 7, 2017, receipt of an approved NPDES Permit, and acknowledging that the applicant must return to the Commission if the NPDES Permit approval alters the plan in any manner. 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 authorize the Borough Manager to send a letter to Colebrookdale and Pike Townships to request the Joint Planning Commission convene a meeting for the purpose of reviewing amendments to the Joint Zoning Ordinance relating to the regulation of wireless communication facilities and medical marijuana. 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 Mrs. Carnes, to authorize the Chief of Police to notify the Pennsylvania Department of Transportation of the Borough’s intent to close Reading Avenue from Fifth Street to Philadelphia Avenue and from Philadelphia Avenue to Third Street on Saturday, July 15 between the hours of 2:00 p.m. and 10:00 p.m., with a rain date of July 22 for the Building A Better Boyertown Cruise Night event. 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 also made a motion, second by Mrs. Carnes, to authorize Building a Better Boyertown to use the borough owned parking lot at 16 W Philadelphia Avenue and 25 S Reading Avenue for display of vehicles during the Cruise Night Event. 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 approve a handicap parking space at 142 North Reading Avenue. 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 April 2017 was submitted:

Calls for Service	269	Non Traffic Complaints	116	Non Traffic Arrests	21
Traffic Complaints	115	Traffic Arrests	98		

The Mayor’s activity report for the month of April reflected the Mayor’s attendance at numerous meetings of Building a Better Boyertown, planted trees with a scout group and the BBB Tree Committee, and hosted forty Boyertown Senior High School art students.

Mayor Deery also requested Borough Council’s signatures on a letter she drafted to send to the Acting Secretary of the Department of Environmental Protection concerning allocation of a fine assessed by the DEP against the Delaware County Solid Waste Authority to the Borough of Boyertown Trout Run Dam Spillway Project. The amount of the fine is \$500,000, which the DEP has been holding in escrow since 2013 and had earmarked to be used for two projects which have not become a reality. All members of Council agreed to execute the letter drafted by the Mayor.

Building a Better Boyertown, Adrienne Blank Main Street Manager

Mr. Steffy briefly reviewed with Council activities currently undertaken by the BBB including actively working on the plan for the future of the Borough’s downtown.

Public Comments

Mr. Deery called for public comments; and recognized Dr. James Tribbett who inquired on the Borough's procedure for managing violations of the Property Maintenance Code including grass and weed ordinance violations. Mrs. Loder and Solicitor Hartman explained the procedure and process used by the Borough to manage grass and weed ordinance violations and violations of the Property Maintenance Code.

There being no further business to conduct a motion to adjourn the meeting at 8:00 p.m. was made by Mrs. Carnes and second by Mr. Heller. The next meeting of Boyertown Borough Council will be held on Monday, June 5th, 2017 at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder
Borough Secretary