

BOROUGH OF BOYERTOWN COUNCIL MEETING
September 14, 2009

The regular meeting of Boyertown Borough Council was called to order at 7:00 p.m. by President Frank Deery. Council members present, in addition to Mr. Deery, were Patrick Maloney, Raynard Spaide, Lori Carnes, Keith Endy, Terry Mest, and Gene Gabel.

Also present were Marianne Deery, Mayor; Christopher Hartman, solicitor; Patricia Spaide, Borough Manager; Jake Lea, Charles Haddad, and Heather Oxenford, Building a Better Boyertown, Jeff Karver, attorney representing Bause's Drug Store, press representatives, and concerned citizens.

All rose for the Pledge of Allegiance.

Mr. Deery called for public comment on the agenda and recognized Mr. Jeff Karver attorney representing Bause's Drug Store Land Development Plan. Mr. Karver discussed with council his clients desire to expedite the Land Development process for the construction of a drive thru window. Solicitor Hartman advised Mr. Karver that Council will discuss in executive session the matter of a lease agreement for the project.

Mr. Deery called for a motion to approve the minutes of the August 3, 2009 meeting of Council. The motion was made by Mr. Gabel, seconded by Mr. Spaide and approved.

Finance, Lori Carnes

Mrs. Carnes made a motion, seconded by Mr. Mest, to approve the lists of Revenues, Expenditures, and Bills for August, 2009. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mr. Spaide, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion carried.

The following is a summary of the Financial Report; the complete report is on file in the Borough office:

General Fund - 01	
Balance in Bank	\$ 617,912.33
Receipts	138,966.39
Expenditures	127,033.10
Balance in Bank	629,845.62
Tank Maintenance Fund - 04	
Balance in Bank	218,162.26
Receipts	2,180.31
Expenditures	0.00
Balance in Bank	220,342.57

September 14, 2009

Page/2

Town Center Fund – 05	
Balance in Bank	8,614.08
Receipts	11,078.02
Expenditures	0.00
Balance in Bank	19,692.10
Water Fund - 06	
Balance in Bank	487,714.72
Receipts	71,117.30
Expenditures	89,713.98
Balance in Bank	469,118.04
Sewer Fund - 08	
Balance in Bank	508,025.20
Receipts	67,361.27
Expenditures	51,091.42
Balance in Bank	524,295.05
Recreation Fund - 09	
Balance in Bank	92,760.07
Receipts	610.52
Expenditures	1,362.23
Balance in Bank	92,008.36
Colonial Corners Fund - 13	
Balance in Bank	86,856.45
Receipts	1,068.31
Expenditures	15.81
Balance in Bank	87,908.95
Capital Construction - Water Fund - 15	
Balance in Bank	25,313.65
Receipts	11.62
Expenditures	0.00
Balance in Bank	25,325.27
Capital Construction - Sewer Fund- 16	
Balance in Bank	294,808.85
Receipts	95,974.68
Expenditures	95,841.00
Balance in Bank	294,942.53
Capital Improvement - General Fund - 17	
Balance in Bank	376,534.43
Receipts	370.16
Expenditures	15,889.71
Balance in Bank	361,014.88

Capital Improvement - Recreation Fund – 18

Balance in Bank	10,326.21
Receipts	4.74
Expenditures	0.00
Balance in Bank	10,330.95

Capital Improvement-Water Fund - 20

Balance in Bank	685,548.93
Receipts	8,685.79
Expenditures	41,806.28
Balance in Bank	652,428.44

Capital Improvement – Sewer Fund 30

Balance in Bank	278,549.76
Receipts	6.03
Expenditures	16,798.08
Balance in Bank	261,757.71

Liquid Fuels Fund - 35

Balance in Bank	104,521.29
Receipts	26.18
Expenditures	0.00
Balance in Bank	104,547.47

Land Development Escrow - 40

Balance	6,352.43
Receipts	2.92
Expenditures	0.00
Balance in Fund	6,355.35

Petty Cash Fund

Balance in Bank	78.69
Receipts	133.81
Expenditures	142.60
Balance	69.90

Payroll Account

Balance in Bank	1,523.61
Receipts	79,364.62
Expenditures	79,258.37
Balance in Bank	1,629.86

Public Utilities - Water, Keith Endy

The following Water Supply and Use Report was submitted for the month of August 2009:

During the month of August 2009, a total of 21,657,000 gallons of water was processed through the water filter plant for an average of 699,000 gallons per day.

The totals came from these sources:

Trout Run	6,146,000
Ironstone	6,726,000
Boyertown Reservoir	8,785,000
Pumping from Trout Run	29 days
Pumping from Ironstone	29 days

Trout Run is at a level of 593.92 feet with approximately 279,000,000 gallons of water. The current level at the Boyertown Reservoir is 33.5 feet. Total precipitation in August is 8.6 inches.

Mr. Endy made a motion, seconded by Mr. Gabel, to approve the Severn Trent Services, Inc. budget for Contract Year 16 in the amount of \$893,024.00. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Spaide, 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 August 2009:

	Average Effluent	NPDES Maximum Allowed
B.O.D.	2.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.2 mg/l	1.6 mg/l
Phosphorus	.46 mg/l	1.5 mg/l
Suspended Solids	7.2 mg/l	20.0 mg/l

	Average Weekly	NPDES Maximum Allowed
Fecal Coliform	7/100 mg/l	200/100 mg/l

The average daily flow at the Wastewater Treatment Plant during the month of August was 630,000 gallons.

Public Works, Gene Gabel

The following report on the activities of the Street Department personnel during the month of August, 2009 was submitted:

During the month of August 2009, Street Department personnel cleaned up the community park following a storm, performed annual weed spraying, patched streets and alleys, and performed routine maintenance on borough vehicles and equipment.

Mr. Gabel made a motion, seconded by Mr. Endy, to authorize an expense not to exceed \$500 for the Ty Thomas Eagle Scout Project to replace damaged boards on picnic tables at the Rohrbach Pavilion. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Spaide, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Gabel then made a motion, seconded by Mr. Endy, to authorize the Council President to execute Amendment #1 to the Community Development Block Grant Agreement #CDB-3421-08 pertaining to the ADA Curb Ramp Phase IV Project. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Spaide, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

House, Patrick Maloney

No report

Public Communication, Raynard Spaide

Mr. Spaide made a motion, seconded by Mrs. Carnes to authorize release for publication in the Boyertown Times the Borough of Boyertown News Article dated September 14, 2009. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Spaide, 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 summer events were well attended. She also noted that the 2nd Annual Fall Festival is scheduled for November 7th, 2009.

Planning, Raynard Spaide

Mr. Spaide submitted the following Code Enforcement Report for the month of August 2009, as provided by Bursich Associates, and the Miscellaneous Permit Report:

Bursich Associates issued three building permits, one electrical permit, two Use and Occupancy Permits, and two zoning permits. In addition, the Code Enforcement Officer responded to numerous zoning inquiries, and property maintenance code concerns, and inspected rental units. The miscellaneous permit report reflected the issuance of three curb and sidewalk permits, three street opening permits, and five yard sale permits.

Police and Public Safety, Terry Mest

Mr. Mest made a motion, seconded by Mr. Gabel, to approve a handicap parking space at 116 South Franklin Street. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Spaide, Mrs. Carnes, Mr. Endy, Mr. Gabel, Mr. Mest, and Mr. Deery. The motion was approved.

Police Activities, Mayor Marianne Deery

The following Police Activities Report for the month of August 2009 was submitted:

Calls for Service	349
Traffic Complaints	83
Non-Traffic Complaints	148
Traffic Arrests	37
Non Traffic Arrests	21

Mayor Deery then submitted the Mayor’s Activity Report for the month of August. The report reflected that Mayor Deery attended numerous meetings of Building A Better Boyertown, a meeting of the Holiday Open House Tour Committee, Berks County Municipal Partnership meeting, attended a meeting with Berks County Commissioner Mark Scott, State Representative David Kessler, and Dennis Hall of PA Department of Agriculture, participated as Mistress of Ceremonies for the dedication of the Boyertown Casket Company Historical Marker, and performed two weddings.

Mayor Deery then read a statement concerning her decision to join a coalition entitled “Mayors Against Illegal Guns”. The Mayor noted that the National Rifle Association sent a letter to their members urging them to contact her to oppose her association with the coalition. The Mayor stated the following “I have based my decision to join the coalition on several facts: (1) I am a member of the Berks Municipal Partnership. Many issues are discussed and crime being one of them. Reading crime has encroached on the Oley Valley. Boyertown is at the base of the beautiful Oley Valley. (2) I do believe you heard me say this before, but Irv Homer, a talk show host out of Philadelphia was a guest speaker at the Progress Dinner quite a few years ago. He made a statement that stuck with me, he said “Boyertown, I am not going to tell Philadelphia that you exist, but be aware.” I can tell you that Philadelphia does now know that Boyertown exists. (3) Crimes committed in Boyertown are not all committed by Boyertown people. (4) Illegal guns and crime are reaching epidemic levels in our nation and one of the goals of the coalition is to allow police access to gun trace data, which is critical to identifying patterns of illegal gun trafficking. And, finally, as your mayor, I take this job very seriously. If there are tools available to better care for Boyertown, it is my duty to investigate those possibilities.”

Building a Better Boyertown, Heather Oxenford Main Street Manager

Mr. Jake Lea addressed Council concerning continuation of the financial support the BBB receives from the Borough. The Borough has donated \$20,000 annually to the BBB for the last year five years. Mr. Lea requested the Borough continue to provide that donation in 2010.

Mr. Haddad then addressed Council on a matter concerning the Crossroads Project. Mr. Haddad noted that the BBB is seeking funding to pay the soft costs associated with the Crossroads Projects. The Berks County Community Foundation has agreed to provide \$20,000 to the BBB to assist with the soft costs. In addition, Mr. Haddad noted that he contacted the County Commissioners to request funding assistance. He was advised by Commissioner Chairman Mark Scott that the County's General Fund Budget does not have funds available for this type of funding request. Mr. Scott suggested that the Borough use the \$30,000 CDBG funding earmarked for the purchase of the railroad property. Mr. Haddad inquired if Council would consider that option. He also noted that the BBB would agree to pay the Borough \$10,000 or \$15,000 from the DCNR Heritage Grant for land acquisition for the Crane Restoration. Following discussion, Council President Deery advised Mr. Haddad that the matter would be discussed at the Finance Committee of Borough Council on September 30th.

Mr. Deery then announced that Council would hold an executive session following adjournment to discuss a real estate matter.

There being no further business to conduct, a motion to adjourn the meeting at 8:00 p.m. was made by Mrs. Carnes and seconded by Mr. Spaide. The next meeting of Boyertown Borough Council is scheduled for Monday, October 5, 2009 at 7:00 p.m.

Respectfully submitted,

Patricia A. Spaide
Borough Secretary