

BOROUGH OF BOYERTOWN COUNCIL MEETING
December 7, 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, Lori Carnes, Keith Endy, Terry Mest, and Gene Gabel. Council member Raynard Spaide was absent.

Also present were Marianne Deery, Mayor; Christopher Hartman, solicitor; Heather Oxenford and Jake Lea, Building a Better Boyertown; Officer Kyle Morgan, press representatives, and a concerned citizen.

All rose for the Pledge of Allegiance.

Mayor Deery recognized Officer Kyle Morgan for his handling of a call from a borough resident requesting police to assist the resident after her husband fell out of bed. Mayor Deery noted that the resident contacted Chief Leatherman to express her appreciation for the assistance provided to her by Officer Morgan.

Mr. Deery called for a motion to approve the minutes of the November 2, 2009 meeting of Council. The motion was made by Mr. Gabel, seconded by Mr. Endy, and approved.

Finance, Lori Carnes

Mrs. Carnes made a motion, seconded by Mr. Mest, to approve the lists of Revenues, Expenditures, and Bills for November, 2009. The roll call vote reflected the following members voting "yes": Mr. Maloney, 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	\$ 511,204.28
Receipts	85,126.89
Expenditures	154,478.31
Balance in Bank	441,852.86
Tank Maintenance Fund - 04	
Balance in Bank	224,703.18
Receipts	2,171.92
Expenditures	0.00
Balance in Bank	226,875.10
Town Center Fund – 05	
Balance in Bank	21,849.30
Receipts	1,333.29
Expenditures	0.00
Balance in Bank	23,182.59

Water Fund - 06	
Balance in Bank	545,885.83
Receipts	93,997.45
Expenditures	429,225.51
Balance in Bank	210,657.77
Sewer Fund - 08	
Balance in Bank	557,553.12
Receipts	56,609.28
Expenditures	187,027.01
Balance in Bank	427,135.39
Recreation Fund - 09	
Balance in Bank	93,063.28
Receipts	3,062.02
Expenditures	12,661.20
Balance in Bank	83,464.10
Colonial Corners Fund - 13	
Balance in Bank	89,987.35
Receipts	784.08
Expenditures	0.00
Balance in Bank	90,771.43
Capital Construction - Water Fund - 15	
Balance in Bank	5.21
Receipts	0.00
Expenditures	0.00
Balance in Bank	5.21
Capital Construction - Sewer Fund- 16	
Balance in Bank	295,172.58
Receipts	30,302.72
Expenditures	30,179.00
Balance in Bank	295,296.30
Capital Improvement - General Fund - 17	
Balance in Bank	238,290.05
Receipts	45,124.00
Expenditures	33,286.19
Balance in Bank	250,127.86
Capital Improvement - Recreation Fund – 18	
Balance in Bank	10,339.59
Receipts	5,004.67
Expenditures	0.00
Balance in Bank	15,344.26

Capital Improvement-Water Fund - 20	
Balance in Bank	586,871.27
Receipts	67,881.15
Expenditures	33,263.85
Balance in Bank	621,488.57
Capital Improvement – Sewer Fund 30	
Balance in Bank	259,943.34
Receipts	5.04
Expenditures	336.15
Balance in Bank	259,612.23
Liquid Fuels Fund - 35	
Balance in Bank	44,632.02
Receipts	3.18
Expenditures	0.00
Balance in Bank	44,635.20
Land Development Escrow - 40	
Balance	6,360.66
Receipts	2.70
Expenditures	0.00
Balance in Fund	6,363.36
Petty Cash Fund	
Balance in Bank	36.79
Receipts	175.71
Expenditures	0.00
Balance	212.50
Payroll Account	
Balance in Bank	760.35
Receipts	81,206.42
Expenditures	80,207.94
Balance in Bank	1,758.83

Mrs. Carnes then made a motion, seconded by Mr. Maloney, to exonerate from payment of Per Capita Tax those individuals whose names have been provided by Tax Collector Jennifer Pengelly who have reached the age of 65 or older, who are no longer a resident of the borough, and for reason of disability. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mrs. Carnes made a motion, seconded by Mr. Gabel, to exonerate from payment of 2009 Per Capita Tax those individuals named by Tax Collector Jennifer Pengelly who are 18 or older and are currently full time students. The roll call vote reflected the following

members voting “yes”: Mr. Maloney, 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 November 2009:

During the month of November 2009, a total of 22,748,000 gallons of water was processed through the water filter plant for an average of 758,000 gallons per day.

The totals came from these sources:

Trout Run	13,819,000
Ironstone	10,778,000
Boyertown Reservoir	- 1,849,000
Pumping from Trout Run	30 days
Pumping from Ironstone	30 days

Trout Run is at a level of 593.17 feet with approximately 270,000,000 gallons of water. The current level at the Boyertown Reservoir is 35.35 feet with approximately 27,700,000 gallons of water. Total precipitation in November is 2.2 inches.

Public Utilities – Sewer, Keith Endy

The following Wastewater Treatment Report was submitted for the month of November 2009:

	Average Effluent	NPDES Maximum Allowed
B.O.D.	2.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.1 mg/l	4.8 mg/l
Phosphorus	.81 mg/l	1.5 mg/l
Suspended Solids	6.5 mg/l	20.0 mg/l
	Average Weekly	NPDES Maximum Allowed
Fecal Coliform	31/100 mg/l	200/100 mg/l

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

Public Works, Gene Gabel

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

During the month of November 2009, Street Department personnel performed maintenance work at the park, the annual leaf pick up, and performed routine maintenance on borough vehicles and equipment.

Mr. Gabel then made a motion, seconded by Mrs. Carnes, to ratify the execution by the Borough Manager of Contract Change Order No. 2 with Gateway Project Management, LLC in the amount of \$55,000 for the Storm Sewer Rehabilitation Project Philadelphia Avenue and Madison Street. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Gabel also made a motion, seconded by Mr. Maloney, to authorize the Council President to execute the Agreement for Encroachment of Block Retaining Wall into Public Right-of-Way between the Borough of Boyertown and Peter P.J. Starr, Jr. and Ann Starr, 136 Sunset Lane, Boyertown. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

House, Patrick Maloney

Mr. Maloney made a motion, seconded by Mr. Mest, to authorize the Borough Manager to advertise the 2010 Schedule of Meetings. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Maloney then made a motion, seconded by Mr. Endy, to approve Resolution Number 12-07-09 pertaining to the upgrade of a Met-Ed owned street light at 620 East Philadelphia Avenue. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Maloney also made a motion, seconded by Mr. Gabel, to approve Resolution Number 12-07-09A to authorize the filing of a proposal for funds with the Department of Community and Economic Development, in the amount of \$90,000 for the continuance of a Main Street Program. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Public Communication, Raynard Spaide

Mr. Deery made a motion, seconded by Mr. Mest, to authorize release for publication in the Boyertown Times the Borough of Boyertown News Article dated December 7, 2009. The roll call vote reflected the following members voting "yes": Mr. Maloney, 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 2nd Annual Fall Festival was very well attended. She also thanked the street department staff for their assistance with preparation of the park for the event.

Planning, Raynard Spaide

The following Code Enforcement Report for the month of November 2009, as provided by Bursich Associates and the Miscellaneous Permit Report were submitted:

Bursich Associates issued one zoning permit. 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 one curb and sidewalk permit, one street cut permit, and three lawn sale permits.

Police and Public Safety, Terry Mest

Mr. Mest made a motion, seconded by Mr. Maloney, to authorize the Council President to execute the 9-1-1 Records Agreement between the County of Berks and the Borough of Boyertown. The roll call vote reflected the following members voting "yes": Mr. Maloney, 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 November 2009 was submitted:

Calls for Service	270
Traffic Complaints	77
Non-Traffic Complaints	117
Traffic Arrests	59
Non Traffic Arrests	19

Mayor Deery then submitted the Mayor's Activity Report for the month of November. Mayor Deery spoke with elementary school students concerning the architecture of the Twin Turrets, attended YWCA Tri-County Area's tribute to exceptional women event, attended BMBA's Business Expo, shared an evening with Aktion Club decorating two Christmas Trees at Twin Turrets, attended BBB's Board Meeting, attended a thank you lunch for National Penn Bank at Studio B, Read President Obama's Thanksgiving Day Proclamation for the Community Thanksgiving Service at St. Andrew's Church, attended the Premier Art Show and Sale at Good Shepherd Church, and attended Zach Reinert's WZAR second annual Christmas Special. Mayor Deery also congratulated Council members Maloney, Mest, Carnes and Endy on their reelection to Council.

Building a Better Boyertown, Heather Oxenford Main Street Manager

Mrs. Oxenford reported that the Chillin on Main event was well attended. She also noted that to date one hundred Boyertown Pictorial books have been sold.

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Mr. Deery called for public comment and recognized Mr. Leister who stated that the borough should release the Borough Council News Article to newspapers other than the Boyertown Times.

There being no further business to conduct a motion to adjourn the meeting at 7:27 p.m. was made by Mrs. Carnes and seconded by Mr. Gabel. The next meeting of Boyertown Borough Council is scheduled for Monday, January 4th, 2010 at 7:00 p.m.

Respectfully submitted,

Patricia A. Spaide
Borough Secretary