

BOROUGH OF BOYERTOWN COUNCIL MEETING
March 1, 2010

The meeting of Boyertown Borough Council was called to order by Council President Frank Deery. Council members present, in addition to Mr. Deery, were Patrick Maloney, Barry Christman, Lorraine Carnes, Terry Mest, and Gene Gabel. Councilman Keith Endy was absent.

Also in attendance were Marianne Deery, Mayor; Patricia Spaide, Borough Manager; Cheryl Allerton, Hartman/Shurr; Heather Oxenford, Building a Better Boyertown, Christian Leinbach, Berks County Commissioner, an interested citizen, and press representatives.

All rose for the pledge of allegiance.

Mr. Deery called for public comment on the agenda. No comments were forthcoming.

Mr. Deery then announced that Councilman Gene Gabel has been selected Citizen of the Year. The Citizen of the Year banquet will be held on April 24th, 2010.

Mr. Deery then recognized Berks County Commissioner Mr. Christian Leinbach. Commissioner Leinbach addressed the Council on numerous topics relating to county government.

Mr. Deery called for a motion to approve the minutes of the February 1st, 2010 meeting of Borough Council. The motion was made by Mr. Gabel, seconded by Mr. Christman, and approved by the membership present.

Finance, Lori Carnes

Mrs. Carnes made a motion, second by Mr. Mest, to approve the lists of Revenues, Expenditures, and Bills for February, 2010. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mr. Christman, Mrs. Carnes, 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	\$ 136,209.19
Receipts	75,038.58
Expenditures	105,051.77
Balance in Bank	106,196.00

Tank Maintenance Fund - 04

Balance in Bank	231,232.58
Receipts	2,172.03
Expenditures	0.00
Balance in Bank	233,404.61

Town Center Fund – 05

Balance in Bank	25,100.67
Receipts	709.20
Expenditures	0.00
Balance in Bank	25,809.87

Water Fund - 06

Balance in Bank	263,613.85
Receipts	94,529.68
Expenditures	57,066.50
Balance in Bank	301,077.03

Sewer Fund - 08

Balance in Bank	432,572.48
Receipts	60,831.01
Expenditures	48,230.88
Balance in Bank	445,172.61

Recreation Fund - 09

Balance in Bank	83,291.76
Receipts	281.87
Expenditures	0.00
Balance in Bank	83,573.63

Colonial Corners Fund - 13

Balance in Bank	94,006.51
Receipts	752.51
Expenditures	0.00
Balance in Bank	94,759.02

Capital Construction - Sewer Fund- 16

Balance in Bank	295,528.26
Receipts	125.52
Expenditures	0.00
Balance in Bank	295,653.78

Capital Improvement - General Fund - 17

Balance in Bank	380,970.71
Receipts	89.23
Expenditures	3,342.40
Balance in Bank	377,717.54

Capital Improvement - Recreation Fund – 18

Balance in Bank	15,357.09
Receipts	6.52
Expenditures	0.00
Balance in Bank	15,363.61

Capital Improvement-Water Fund - 20

Balance in Bank	621,954.46
Receipts	780.36
Expenditures	1,508.70
Balance in Bank	621,226.12

Capital Improvement – Sewer Fund 30

Balance in Bank	259,611.30
Receipts	2.46
Expenditures	0.00
Balance in Bank	259,613.76

Liquid Fuels Fund - 35

Balance in Bank	35,320.88
Receipts	.97
Expenditures	4,657.99
Balance in Bank	30,663.86

Land Development Escrow - 40

Balance	6,368.68
Receipts	2.71
Expenditures	0.00
Balance in Fund	6,371.39

Petty Cash Fund

Balance in Bank	212.50
Receipts	0.00
Expenditures	134.71
Balance	77.79

Payroll Account

Balance in Bank	1,254.82
Receipts	67,957.92
Expenditures	67,154.76
Balance in Bank	2,057.98

Mrs. Carnes then made a motion, second by Mr. Maloney, to approve Ordinance Number 01-10 amending Chapter 174, Entitled Taxation, to permit per capita tax exoneration for full time students. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mrs. Carnes then made a motion, second by Mr. Gabel, to grant the request for a refund of the Local Services Tax paid by the taxpayer listed in a memo from the Borough Manager dated February 24, 2010. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, 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 February 2010:

During the month of February 2010, a total of 16,961,000 gallons of water was processed through the water filter plant for an average of 678,000 gallons per day.

The totals came from these sources:

Trout Run	10,504,000
Ironstone	-0-
Boyertown Reservoir	6,457,000
Pumping from Trout Run	25 days
Pumping from Ironstone	0 days

Trout Run is at a level of 599.17 feet with approximately 342,000,000 gallons of water. The current level at the Boyertown Reservoir is 35.10 feet with approximately 27,100,000 gallons of water. Total precipitation in February is .4 inches.

Public Utilities – Sewer, Keith Endy

The following Wastewater Treatment Report was submitted for the month of February 2010:

	Average Effluent	NPDES Maximum Allowed
B.O.D.	3.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.3 mg/l	4.8 mg/l
Phosphorus	1.21 mg/l	1.5 mg/l
Suspended Solids	6.5 mg/l	20.0 mg/l
	Average Weekly	NPDES Maximum Allowed
Fecal Coliform	2/100 mg/l	200/100 mg/l

The average daily flow at the Wastewater Treatment Plant during the month of February was 550,000 gallons.

Public Works, Gene Gabel

The following report on the activities of the Street Department personnel during the month of February, 2010 was submitted:

During the month of February 2010, Street Department personnel performed maintenance work on streets and alleys, plowed and salted streets and alleys as needed, resumed brush clean up at the community park, and performed routine maintenance on borough equipment and vehicles.

Mr. Gabel then made a motion, second by Mrs. Carnes, to authorize the Council President to execute the Playground Lease Agreement with the Boyertown Rotary Foundation pertaining to the Boyertown Community Park Playground Project known as “A Playground for Everyone”. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

House, Patrick Maloney

No report

Public Communication, Barry Christman

No report

Park and Recreation Board, Lori Carnes

Mrs. Carnes reported that the Park and Recreation Board have mailed the 2010 Sensational Summer Sponsorship letters. She also noted that the Park and Recreation Board will host the annual Earth Day Event at the Community Park on Saturday, April 24th, 2010.

Planning, Frank Deery

The following Code Enforcement Report for the month of February 2010, as provided by Bursich Associates and the Miscellaneous Permit Report were submitted:

No permits were issued by Bursich Associates during the month of February. The Code Enforcement Officer responded to numerous zoning inquiries, and property maintenance code concerns, and inspected rental units. The miscellaneous permit report reflected that no permits were issued during the month of February.

Police and Public Safety, Terry Mest

No Report

Police Activities, Mayor Marianne Deery

The following Police Activities Report for the month of February 2010 was submitted:

Calls for Service	250
Traffic Complaints	113
Non-Traffic Complaints	83
Traffic Arrests	135
Non Traffic Arrests	8

Mayor Deery then reviewed the Mayors' Activity Report for the month of February. The report reflected attendance at the Cabot Advisory Panel Council Meeting, as well as attendance at the BBB's Reorganization Meeting, Tree Committee Meeting, and Design Committee Meeting. The Mayor also hosted a luncheon with Berks County Commissioner Christian Leinbach on the 3rd of February, and a luncheon with Berks County Commissioner Mark Scott on the 24th of February. The Mayor also attended a meeting of the Holiday Open House Tour Committee at which \$3,500 was distributed to various local organizations. In addition, the Mayor attended a volunteer luncheon at the Boyertown Museum of Historic Vehicles.

Mayor Deery also shared with those in attendance a sampling of letters and contacts she receives as the Mayor of Boyertown.

Building a Better Boyertown, Heather Oxenford Main Street Manager

Mrs. Oxenford reported that Comin out of Hibernation will be held on April 17th, 2010.

Mr. Deery then announced that Council would recess to executive session to discuss a real estate matter. Prior to recessing, Mrs. Spaide informed the members that Jared Isaacs, of Independence Properties, LLC, owner of 130 East Philadelphia Avenue, has informed her that he now wants to lease from the Borough the twelve parking spaces previously leased by a commercial tenant of his property. It was noted that at the February 1st meeting of Council Mr. Isaacs stated that he would lease six parking spaces from the borough. Discussion on this matter ensued. Following discussion, Mrs. Carnes made a motion, second by Mr. Gabel, to proceed to lease the parking spaces as discussed at the February 1st, 2010 meeting of Council; six to Independence Properties, six to Country Home Real Estate, and six to Duffy Moon LLC. The roll call vote reflected the following members voting "yes": Mr. Christman, Mrs. Carnes, Mr. Mest, Mr. Gabel, and Mr. Deery. Mr. Maloney abstained because he has a financial interest in Duffy Moon LLC. The motion was approved.

At this time Council recessed to executive session to discuss a real estate matter.

Upon reconvening, Mr. Deery stated that based on discussions held in executive session he makes a motion to enter into negotiations with Independence Properties, Country Home Real Estate, and Duffy Moon, LLC to formalize a parking lease agreement. The motion was seconded by Mrs. Carnes. The roll call vote reflected the following members voting "yes": Mr. Christman, Mrs. Carnes, Mr. Mest, Mr. Gabel, and Mr. Deery. Mr. Maloney abstained because he has a financial interest in Duffy Moon LLC. The motion was approved.

There being no further business to conduct a motion to adjourn the meeting at 8:27 p.m. was made by Mr. Gabel and seconded by Mr. Christman. The next meeting of Boyertown Borough Council is scheduled for Monday, April 5th, 2010 at 7:00 p.m.

Respectfully submitted,

Patricia A. Spaide
Borough Secretary