

**FINANCE COMMITTEE MEETING
MINUTES
April 28, 2010**

The meeting of the Finance Committee was called to order at 7:15 p.m. by Chairwoman Lori Carnes. Present in addition to Mrs. Carnes were committee members Terry Mest, Patrick Maloney, and ex-officio member Frank Deery.

Also present were Marianne Deery, Mayor; Council member Barry Christman; Patricia Spaide, Borough Manager, and a concerned citizen.

A motion to approve the minutes of the March 31, 2010 meeting of the committee was made by Mrs. Carnes, seconded by Mr. Mest, and approved.

Financial Statement

A review of the Financial Statement for the month of April 2010 was undertaken.

Revenues and Expenditures

The Revenues and Expenditures for the month of April 2010 were reviewed.

List of Bills

The list of bills paid during the month of April 2010 was reviewed.

Unfinished Business

There was no unfinished business to conduct.

New Business

Partial Escrow Release Bause's Drug Store – Mrs. Spaide reviewed with the committee a letter from Spotts, Stevens & McCoy Group, Inc. pertaining to a partial release of escrow for the Bause's Drug Store Project. A total of \$23,769, which is equivalent to ninety percent of the escrow, may be released. A ten percent contingency, \$2,263 will be held in accordance with the Improvements Agreement. A motion to ratify Mrs. Spaide's release of the escrow in accordance with the letter from Spotts will be listed on the agenda of the May 3rd meeting of Council.

DCED Main Street Program Contract #C000033623 – Mrs. Spaide advised the members that a motion to authorize the Council President to execute the Contract with the DCED for continuance of the Main Street Program will be on the agenda of the May 3rd meeting of Council. The contract will provide \$60,000 in funding for the main street program.

Transportation, Community and System Preservation Program Federal Aid Reimbursement Agreement – Mrs. Spaide advised the members that Resolution Number 05-03-10 will be on the agenda of the May 3rd meeting of Council providing authorization for the Council President and Borough Secretary to execute the Federal Aid Reimbursement Agreement for funding for the Main Street Streetscape Project in the amount of \$444,600.

Boyertown Publishing Scott Gabel Request to Waive Sidewalk Permit Fee – Mrs. Spaide advised the members that Mr. Gabel, President of Boyertown Publishing is requesting the borough waive the \$75 fee for a sidewalk permit. Mrs. Spaide explained that Mr. Gabel received a Notice of Violation concerning the need to repair a portion of the public sidewalk at 48 South Reading Avenue due to the unevenness of the sidewalk. Mrs. Spaide further noted that a complaint was filed with the borough concerning the condition of the sidewalk after a pedestrian fell and was injured on the uneven sidewalk. Mr. Gabel failed to comply with the Notice of Violation and the Code Official filed a citation against Mr. Gabel. He was found guilty by Judge Hartman in District Court 3-2. Mr. Gabel's request for waiver of the permit fee is because fifteen to twenty years ago the borough removed a tree from the public sidewalk and replaced the concrete in the area where the tree was planted. This is now the area where the sidewalk is uneven. Mr. Gabel believes that the borough is responsible for the unevenness of the sidewalk.

Mrs. Spaide explained to the members that trees were planted by the borough in the public right-of-way on South Reading Avenue and Third Street in the 1970's as part of the Colonial Corner's Improvement Project. Over the years the roots of those trees began to cause problems with the sanitary sewer laterals, and property owners began seeking from the borough reimbursement of repair costs. As a result, Borough Council contacted all property owners who had a tree planted in the public right-of-way in front of their properties giving them the option of keeping the tree and assuming maintenance responsibility for the tree or allowing the borough to remove the tree. Mrs. Spaide noted that this action by council occurred at least fifteen plus years ago.

Following discussion on the subject, the committee members stated that they would not agree to recommend waiver of the permit fee.

DCED Housing and Redevelopment Assistance Contract – Mrs. Spaide advised the members that she has received a contract from the DCED for grant funding in the amount of \$185,500 for assistance with the Main Street Streetscape Project. A motion to authorize the Council President and the Borough Secretary to execute the contract will be on the agenda of the May 3rd meeting of Council.

Other Comments

There being no further business to discuss a motion to adjourn the meeting at 7:40 p.m. was made by Mrs. Carnes and seconded by Mr. Mest. The next meeting of the Finance Committee is scheduled for Wednesday, June 2nd, 2010.

Respectfully submitted,

Patricia A. Spaide
Borough Secretary