

BOROUGH OF BOYERTOWN COUNCIL MEETING
June 7, 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, Keith Endy, Terry Mest, and Gene Gabel.

Also in attendance were Marianne Deery, Mayor; Patricia Spaide, Borough Manager; Christopher Hartman, solicitor; interested citizens, and press representatives.

All rose for the pledge of allegiance.

Mr. Deery called for public comment on the agenda and recognized Mr. Leister who stated his opinion that the vacancy on the Municipal Employees' Pension Board should be advertised. Mr. Leister also recommended that Borough Council table a decision concerning appointment of a third party code enforcement agency.

Mr. Deery then recognized Mrs. Susan Vischio a teacher at Boyertown Junior High West. Mrs. Vischio was accompanied by several students from the school who worked together as a team on the 9th Grade Project. Mrs. Vischio explained that the project assigned is to design, market, and build a recreational facility. The project is designed to teach students how to work together as a team. Each team member is assigned a specific area of responsibility such as the Project Manager, Architect, Engineer, Marketing and Advertising Manager, and Interior Designer. The 9th Grade Project is done annually in the month of May, and the project judges are community members. Mr. Deery and Borough Manager Spaide have participated as project judges, and invited Mrs. Vischio to bring a team to the Borough Council Meeting to present their project. Following the presentation, Mr. Deery and members of Council thanked Mrs. Vischio, the students, and their parents for sharing their project with members of Borough Council.

Mr. Deery called for a motion to approve the minutes of the May 3rd, 2010 meeting of Borough Council. The motion was made by Mr. Gabel, seconded by Mr. Christman, and approved.

Finance, Lori Carnes

Mrs. Carnes made a motion, seconded by Mr. Mest, to approve the lists of Revenues, Expenditures, and Bills for May, 2010. The roll call vote reflected the following members voting "yes": Mr. Maloney, Mr. Christman, 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	\$ 226,425.13
Receipts	574,658.16
Expenditures	151,941.13
Balance in Bank	649,142.16

Tank Maintenance Fund - 04

Balance in Bank	237,721.66
Receipts	2,144.09
Expenditures	0.00
Balance in Bank	239,865.75

Town Center Fund – 05

Balance in Bank	28,174.09
Receipts	1,082.12
Expenditures	0.00
Balance in Bank	29,256.21

Water Fund - 06

Balance in Bank	418,614.11
Receipts	82,687.43
Expenditures	105,231.66
Balance in Bank	396,069.88

Sewer Fund - 08

Balance in Bank	471,406.92
Receipts	65,180.66
Expenditures	62,345.68
Balance in Bank	474,241.90

Recreation Fund - 09

Balance in Bank	96,687.11
Receipts	1,989.13
Expenditures	3,353.13
Balance in Bank	95,323.11

Colonial Corners Fund - 13

Balance in Bank	96,672.91
Receipts	1,972.20
Expenditures	10.54
Balance in Bank	98,634.57

Capital Construction - Sewer Fund- 16

Balance in Bank	295,847.84
Receipts	85.12
Expenditures	0.00
Balance in Bank	295,932.96

Capital Improvement - General Fund - 17

Balance in Bank	408,597.79
Receipts	104.55
Expenditures	26,859.05
Balance in Bank	381,843.29

Capital Improvement - Recreation Fund – 18

Balance in Bank	15,373.70
Receipts	4.42
Expenditures	0.00
Balance in Bank	15,378.12

Capital Improvement-Water Fund - 20

Balance in Bank	540,530.99
Receipts	850.92
Expenditures	14,179.10
Balance in Bank	527,202.81

Capital Improvement – Sewer Fund 30

Balance in Bank	259,735.17
Receipts	2.09
Expenditures	10,166.00
Balance in Bank	249,571.26

Liquid Fuels Fund - 35

Balance in Bank	91,214.52
Receipts	5.34
Expenditures	0.00
Balance in Bank	91,219.86

Land Development Escrow - 40

Balance	6,375.57
Receipts	1.83
Expenditures	0.00
Balance in Fund	6,377.40

Petty Cash Fund

Balance in Bank	84.87
Receipts	127.63
Expenditures	129.18
Balance	83.32

Payroll Account	
Balance in Bank	1,337.58
Receipts	89,345.55
Expenditures	88,979.77
Balance in Bank	1,703.36

Public Utilities - Water, Keith Endy

The following Water Supply and Use Report was submitted for the month of May 2010:

During the month of May 2010, a total of 24,754,000 gallons of water was processed through the water filter plant for an average of 799,000 gallons per day.

The totals came from these sources:

Trout Run	11,318,000
Ironstone	-0-
Boyertown Reservoir	13,436,000
Pumping from Trout Run	14 days
Pumping from Ironstone	0 days

Trout Run is currently overflowing with approximately 380,000,000 gallons of water. The current level at the Boyertown Reservoir is 37.00 feet with approximately 32,000,000 gallons of water. Total precipitation in May is 8 inches.

Public Utilities – Sewer, Keith Endy

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

	Average Effluent	NPDES Maximum Allowed
B.O.D.	3.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.5 mg/l	4.8 mg/l
Phosphorus	1.20 mg/l	1.5 mg/l
Suspended Solids	7.0 mg/l	20.0 mg/l
	Average Weekly	NPDES Maximum Allowed
Fecal Coliform	5/100 mg/l	200/100 mg/l

The average daily flow at the Wastewater Treatment Plant during the month of May was 430,000 gallons.

Public Works, Gene Gabel

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

During the month of May 2010, Street Department personnel performed maintenance work on streets and alleys, continued brush clean up at the community park, mowed grass, and performed routine maintenance on borough equipment and vehicles.

Mr. Gabel made a motion, seconded by Mr. Christman, to grant conditional award of the 2010 Street Reconstruction Project to EJB Paving & Materials Company, 1119 Snyder Road, West Lawn, PA in the amount of \$51,865.00 for the Base Bid, and \$19,985.00 for Bid 1, award subject to EJB providing insurance, bonds, and financial information as required by the Project Manual. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, 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. Endy, to accept the resignation of William Moeller from the Municipal Employees’ Pension Board effective May 27th, 2010. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Maloney then made a motion, seconded by Mrs. Carnes, to authorize the Council President to execute a Parking Lease Agreement between the Borough of Boyertown and Duffy Moon, LLC, 128 East Philadelphia Avenue, Boyertown, PA. The roll call vote reflected the following members voting “yes”: Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. Mr. Maloney abstained due to a financial interest in Duffy Moon, LLC. The motion was approved.

Mr. Maloney made a motion, seconded by Mr. Mest, to terminate Bursich Associates as the Zoning Officer and Building Code Official effective June 8th, 2010. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Maloney then made a motion, seconded by Mr. Gabel, to appoint Systems Design Engineering, Inc., 1032 James Drive, Leesport, PA as Zoning Officer and Building Code Official with primary representation provided by Matthew Magovern effective June 8th, 2010. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Public Communication, Barry Christman

Mr. Christman made a motion to authorize release to the Boyertown Times the Borough Council News Article dated June 7th, 2010. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, 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 Park and Recreation Board will host the annual Fun Days event on June 10, 11 and 12. Mrs. Carnes also noted that the board has published a 2010 Events Calendar.

Planning, Frank Deery

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

The Code Enforcement Report reflected the issuance of two building permits and five zoning permits. In addition the Code Enforcement Officer responded to numerous zoning inquiries, and property maintenance code concerns, and inspected rental units. The Miscellaneous Permits Report reflected the issuance of four curb and sidewalk permits, seventeen street cut permits and two lawn sale permits.

Police and Public Safety, Terry Mest

Mr. Mest made a motion, seconded by Mr. Maloney, to approve Resolution Number 06-07-10 approving Octoberfest 2010. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Mest then made a motion to notify the County of Berks Department of Emergency Services that all changes in the run-cards must be approved by action of the Borough Council of the Borough of Boyertown. The roll call vote reflected the following members voting “yes”: Mr. Maloney, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Mest then made a motion, seconded by Mr. Gabel, to authorize the Borough Manager to advertise for receipt of bids for the sale of the 2004 Ford Explorer. The roll call vote reflected the following members voting “yes”: Mr. Maloney, 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 May 2010 was submitted:

Calls for Service	268
Traffic Complaints	96
Non-Traffic Complaints	101
Traffic Arrests	82
Non Traffic Arrests	18

Mayor Deery then reviewed the Mayors’ Activity Report for the month of May. The report reflected attendance at meetings of Building a Better Boyertown, participation in the Berks Mont Business Associations Shadowing Day. Mayor Deery also performed a wedding and participated in Memorial Day Ceremonies at the Spaatz Memorial, Union, Mennonite and Fairview Cemeteries.

Building a Better Boyertown, Heather Oxenford Main Street Manager

In the absence of the Main Street Manager, Mr. Charles Haddad advised the members that Cruise Night will be held on June 19th. In addition, Mr. Haddad noted a meeting with Gilmore Associates concerning the final design for the Streetscape Project.

In a matter unrelated to the BBB, Mr. Haddad informed the members that the Boyertown Community Center property has been sold. The money will be used for the construction of a future community center or any other project approved by the court.

Mr. Deery called for public comment and recognized Mr. William Campbell, Mr. John Gheer, and Mr. Wayne Lahr who addressed the members regarding undesirable activity in the Franklin Street Mini Park. Specifically, the residents stated that teenagers congregate in the park and use obscene language, smoke and create an undesirable environment in the park. A lengthy discussion ensued and suggestions to resolve the problem include placing an age restriction on use of the park, fence and lock the park at night, and create a community watch. Council requested the solicitor research the legality of placing an age restriction on the use of the park. This matter will be referred to the Police and Public Safety Committee of Borough Council for further discussion.

There being no further business to conduct a motion to adjourn the meeting at 8:50 p.m. was made by Mrs. Carnes and seconded by Mr. Gabel. The next meeting of Boyertown Borough Council is scheduled for Monday, July 12th, 2010 at 7:00 p.m.

Respectfully submitted,

Patricia A. Spaide
Borough Secretary