

**BOROUGH OF BOYERTOWN REORGANIZATION
AND REGULAR COUNCIL MEETING
January 3, 2022**

The reorganization meeting of the Boyertown Borough Council was called to order at 7:00 p.m. by Solicitor Christopher Hartman. Council members present were Frank Deery, Charles Heller, Barry Christman, Jeffrey Cascino, Keith Endy, Charles Neubauer and Gene Gabel.

Also in attendance were Patricia Loder, Borough Manager; Christopher Hartman, solicitor; Jillian MaGee, Main Street Manager; and numerous interested citizens.

All rose for the Pledge of Allegiance.

Mr. Hartman called for public comment on the agenda; no comments were forthcoming.

Mr. Hartman then opened nominations for the election of President of Boyertown Borough Council for the two-year term ending the first Monday of January 2024. Mr. Gabel nominated Frank Deery. No further nominations were made; the ballot was unanimously approved and Mr. Deery was declared President.

President Deery opened nominations for the election of Vice President of Boyertown Borough Council for the two-year term ending the first Monday of January 2024. Mr. Heller nominated Keith Endy. No further nominations were made; the ballot was unanimously approved and Mr. Endy was declared Vice President.

Mr. Deery then announced the appointment of members to the following committees of Borough Council:

Public Works, Barry Christman, Chairman; Keith Endy and Gene Gabel
Public Utilities, Keith Endy, Chairman; Gene Gabel and Barry Christman
House, Gene Gabel, Chairman; Barry Christman and Keith Endy
Finance, Charles Heller, Chairman, Jeffrey Cascino and Charles Neubauer
Police & Public Safety, Charles Neubauer, Chairman, Jeffrey Cascino and Charles Heller
Public Communication, Jeffrey Cascino, Chairman, Charles Heller and Charles Neubauer

Mr. Deery then made a motion, second by Mr. Endy, to appoint the following individuals to Boards, Commissions and Offices:

Fire Marshal	Dave Shainline, 1-year term
Deputy Fire Marshal	Corey Heimbach, 1-year term
Emergency Management Coordinator	John Rambo, 1-year term
Planning Commission	William Hunter, 5-year term
Joint Municipal Planning Commission	Patrick Maloney, 4-year term
Emergency Management Council	John Rambo, 1-year term
	Barry Leatherman, 1-year term
	Frank Deery, 1-year term
	Charles Heller, 1-year term

EBRP Commission	Frank Deery, 1-year term Charles Heller, 1-year term Patricia Loder, 1-year term
EBRP Pension Committee	Charles Heller, 1-year term Patricia Loder, 1-year term
Vacancy Board	Patrick Maloney, 2-year term
Boyertown Area Fire & Rescue, Board Manager/Secretary/Treasurer	Patricia Loder, 2 year term Patricia A. Loder, 2-year term

The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. Motion approved.

Mr. Deery then made a motion, second by Mr. Gabel, to approve Resolution Number 01-03-2022 appointing Robert Miller to a three-year term on the Zoning Hearing Board. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery made a motion, second by Mr. Heller, to appoint Truist Financial and Pennsylvania Local Government Investment Trust as depositories of the Borough funds for the years 2022 and 2023. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery made a motion, second by Mr. Neubauer to name the Tax Claim Bureau of the County of Berks as the tax collector of all delinquent real estate taxes in the Borough. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery then made a motion, second by Mr. Christman, to appoint the law firm of Hartman/Valeriano/Magovern/Lutz, 1025 Berkshire Blvd., Suite 700, Wyomissing, PA, to a two-year term as solicitor with primary representation provided by Christopher Hartman. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery made a motion, second by Mr. Neubauer, to appoint SSM Group, 104 North Park Road, Reading, PA, to a two-year term as engineer for water and wastewater, MS4 Permitting and Planning Commission with primary representation provided by Jason Newhard, Kent Morey and Nicholas Szeradai. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery then made a motion, second by Mr. Endy, to appoint Systems Design Engineering, Inc., 1032 James Drive, Leesport, PA, to a two-year term as Zoning Officer and Building Code Official with primary representation provided by Thomas Unger, Matthew Davenport and Keith Yeager. The roll call vote reflected the following members voting “yes”:

Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery made a motion, second by Mr. Gabel, to appoint Systems Design Engineering, Inc., 1032 James Drive, Leesport, Pennsylvania, to a two-year term as engineer for street projects with primary representation provided by Thomas Unger. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery then made a motion, second by Mr. Endy, to adopt the Rules and Regulations for the conduct of Borough Council and Committee Meetings. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Deery made a motion to approve the minutes of the December 6th and 21st, 2021 meetings of Council. The motion was second by Mr. Gabel, and approved.

Finance, Charles Heller

Mr. Heller made a motion, second by Mr. Endy, to approve the lists of Revenues, Expenditures and Bills for December 2021. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. The motion was approved.

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	\$361,776.90
Receipts	179,474.65
Expenditures	339,012.46
Balance in Bank	\$202,239.09
Tank Maintenance Fund – 04	
Balance in Bank	\$448,634.95
Receipts	15.33
Expenditures	.00
Balance in Bank	\$448,650.28
Water Fund – 06	
Balance in Bank	\$479,715.13
Receipts	337,444.50
Expenditures	310,226.11
Balance in Bank	\$506,933.52

Sewer Fund – 08	
Balance in Bank	\$395,757.72
Receipts	131,502.69
Expenditures	161,587.69
Balance in Bank	\$365,672.72
Recreation Fund – 09	
Balance in Bank	\$ 97,099.39
Receipts	3.32
Expenditures	0.00
Balance in Bank	\$ 97,102.71
Colonial Corners Fund – 13	
Balance in Bank	\$ 28,666.49
Receipts	402.40
Expenditures	0.00
Balance in Bank	\$ 29,068.89
Trail Feasibility Study Fund – 15	
Balance in Bank 11/30/19	\$ 3,500.20
Receipts	0.02
Expenditures	0.00
Balance in Bank 12/31/19	\$ 3,500.22
Capital Improvement – General Fund – 17	
Balance in Bank	\$1,913,210.26
Receipts	285,066.33
Expenditures	12,769.67
Balance in Bank	\$2,185,506.92
Forest Management – 19	
Balance in Bank	\$131,316.39
Receipts	4.49
Expenditures	0.00
Balance in Bank	\$131,320.88
Capital Improvement – Water Fund – 20	
Balance in Bank	\$1,075,756.59
Receipts	50,037.05
Expenditures	0.00
Balance in Bank	\$1,125,793.64
Capital Improvement – Sewer Fund – 30	
Balance in Bank	\$346,824.30
Receipts	25,011.99
Expenditures	0.00
Balance in Bank	\$371,836.29

Liquid Fuels Fund - 35	
Balance in Bank	\$ 57,068.97
Receipts	1.95
Expenditures	0.00
Balance in Bank	\$ 57,070.92
American Rescue Plan - 95	
Balance in Bank	\$213,089.45
Receipts	7.28
Expenditures	0.00
Balance in Bank	\$213,096.73

Mr. Heller made a motion, second by Mr. Cascino, to authorize release of \$130,850.00 of the escrow held for public improvements related to the Boyertown Oral Surgery & Maxillofacial Surgery Properties, conditioned upon reimbursement to the Borough of all outstanding invoices owed to the Borough for construction inspection services performed; the remaining Letter of Credit after this release is \$39,045.00. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, 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 2021:

During the month of November 2021, a total of 19,947,000 gallons of water was processed through the water filter plant for an average of 665,000 gallons per day.

The totals came from these sources:

Trout Run	26,995,000
Ironstone	-0-
Boyertown Reservoir	890,000
Pumping from Trout Run	30 days
Pumping from Ironstone	0 days

Trout Run is at a level of 596.67 feet with approximately 315,000,000 gallons of water. Popodickon Reservoir is at a level of 38 feet with approximately 34,600,000 gallons of water. Precipitation in November was 1.2 inches.

Public Utilities – Sewer, Keith Endy

The following Wastewater Treatment Report was submitted for the month of November 2021:

	Average Effluent	NPDES Maximum Allowed
B.O.D	3.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.05 mg/l	1.6 mg/l
Phosphorus	.75 mg/l	1.5 mg/l
Suspended Solids	7.0 mg/l	20.0 mg/l

	Average Effluent	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 November was 336,000 gallons.

Public Works, Barry Christman

The following report on the activities of the Street Department personnel during the month of December 2021 was submitted:

During the month of December 2021 department personnel continued collecting leaves, assisted with set up and clean up for the Chillin on Main event, cleaned up leaves at the Community Park, and performed routine maintenance on borough buildings, equipment and vehicles.

House, Gene Gabel

Mr. Gabel made a motion, second by Mr. Neubauer, to accept Dorothy Borchelt's resignation from the Park and Recreation Board effective immediately. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. The motion was approved.

Public Communications,

No report

Park and Recreation Board, Barry Christman

No Report

Planning, Frank Deery

The following Code Enforcement Report for the month of December 2021, as provided by Systems Design Engineering, Inc. and the Miscellaneous Permit Report were submitted:

SDE issued seven UCC Permits and four Zoning Permits during the month of December. The Code Enforcement Officer handled numerous property maintenance code concerns, and inspected forty seven rental units. The Miscellaneous Permit Report reflected the issuance of twenty four street opening permits.

Mr. Deery made a motion, second by Mr. Heller, to accept Frank Deery's resignation from the Planning Commission effective January 1st, 2022. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. The motion was approved.

Mr. Deery then made a motion, second by Mr. Gabel, to appoint Marianne Deery to the Planning Commission to complete the unexpired term of Frank Deery, term to expire 2024. The

roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. The motion was approved.

Police and Public Safety, Charles Neubauer

Mr. Neubauer made a motion, second by Mr. Endy, to approve Ordinance Number 01-2022 to amend the Code of the Borough of Boyertown, to entitle Chapter 73 “Conduct”, Article 1 to be entitled “burning” to establish regulations and restrictions on open burning within the Borough and providing fines and penalties for violations thereof. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. The motion was approved.

Police Activities, Mayor Lorraine Carnes

The following Police Activities Report for the month of December 2021 was submitted:

Total Incidents	213
Criminal Arrests	14
Vehicle Arrests	52
Accidents	14
Parking Tickets	8
Written Warnings	11

Former Mayor Deery submitted the following activity report for the month of December. Attendance at Borough committee meeting and council meetings, participation in Wreaths Across America, and attendance at the Carl Spaatz Memorial Association Meeting.

Building a Better Boyertown, Jillian Magee, Main Street Manager

Ms. Magee reviewed a report on the activities of Building a Better Boyertown during the month of December. The complete report is on file in the Borough Administrative Office.

Solicitor

No report.

Mr. Deery called for public comment and recognized Mr. Charles Haddad who extended congratulations to the elected officials serving in the new term of Borough Council. Mr. Haddad also expressed his hope that during this term Council will consider projects which he identified in 2021.

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There being no further business to conduct, a motion to adjourn the meeting at 7:37 p.m. was made by Mr. Christman and seconded by Mr. Gabel. The next meeting of Boyertown Borough Council will be held on Monday, February 7th, 2022 beginning at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder
Borough Secretary