

**BOROUGH OF BOYERTOWN COUNCIL MEETING**  
**July 5, 2022**

The regular meeting of the Boyertown Borough Council was called to order at 7:00 p.m. by Council President Frank Deery. Present in addition to Mr. Deery were Charles Heller, Barry Christman, Jeff Cascino, Keith Endy, Charles Neubauer and Gene Gabel.

Also in attendance were Lorraine Carnes, Mayor; Patricia Loder, Borough Manager; Christopher Hartman, Solicitor; Ellen Martignetti, BaBB Main Street Manager; Adrienne Blank, Gilmore and Associates; and interested citizens.

All rose for the Pledge of Allegiance.

Mr. Deery called for public comment and recognized Mr. Charles Haddad. Mr. Haddad addressed Council on the topic of elimination of parking on one side of East Philadelphia Avenue. Mr. Haddad noted that it appears the Police & Public Safety Committee is not recommending the elimination of parking on one side of East Philadelphia Avenue. Mr. Haddad stated he feels the committee rushed to a decision without facts to support the decision.

Mr. Deery then recognized Mrs. Martignetti, BaBB Main Street Manager, who acknowledged seeing both sides of the parking issue; however, feels that Council should have another parking study done; noting the most recent study was completed in 2020.

Mr. Deery then recognized Mr. Timothy Royer, Royer's Printing. Mr. Royer expressed his desire to bring this matter to a conclusion, noting that business owners are fighting to remain in business and that commercial tenants will hesitate to sign a new lease if the matter of elimination of street parking continues to be a topic of debate.

There being no further public comments, Mr. Deery called for a motion to approve the minutes of the June 6<sup>th</sup>, 2022 meeting of Borough Council. The motion was made by Mr. Neubauer, second by Mr. Cascino, and approved.

**Finance, Charles Heller**

Mr. Heller made a motion, second by Mr. Gabel, to approve the lists of Revenues, Expenditures and Bills for June 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.

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 5/31/2022	\$1,125,317.96
Receipts	81,332.09
Expenditures	166,786.55
Balance in Bank 6/30/2022	\$1,039,863.50

Tank Maintenance Fund - 04	
Balance in Bank 5/31/2022	\$ 449,226.97
Receipts	413.83
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 449,640.80
Water Fund – 06	
Balance in Bank 5/31/2022	\$ 448,410.22
Receipts	518,938.97
Expenditures	337,896.50
Balance in Bank 6/30/2022	\$ 629,452.69
Sewer Fund – 08	
Balance in Bank 5/31/2022	\$ 416,271.24
Receipts	265,431.72
Expenditures	191,499.30
Balance in Bank 6/30/2022	\$ 490,203.66
Recreation Fund – 09	
Balance in Bank 5/31/2022	\$ 93,040.08
Receipts	21,822.57
Expenditures	6,198.60
Balance in Bank 6/30/2022	\$ 108,664.05
Colonial Corners Fund – 13	
Balance in Bank 5/31/2022	\$ 26,704.66
Receipts	505.28
Expenditures	276.03
Balance in Bank 6/30/2022	\$ 26,933.91
Trail Feasibility Study Fund – 15	
Balance in Bank 5/31/2022	\$ 3,502.19
Receipts	2.36
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 3,504.55
Capital Improvement General Fund – 17	
Balance in Bank 5/31/2022	\$2,068,882.58
Receipts	1,859.19
Expenditures	87,373.44
Balance in Bank 6/30/2022	\$1,983,368.33

Forest Management – 19	
Balance in Bank 5/31/2022	\$ 131,489.67
Receipts	121.13
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 131,610.80
Capital Improvement Water Fund – 20	
Balance in Bank 5/31/2022	\$ 937,973.80
Receipts	12,880.03
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 950,853.83
Capital Improvement Sewer Fund – 30	
Balance in Bank 5/31/2022	\$ 372,314.25
Receipts	342.98
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 372,657.23
Liquid Fuels Fund – 35	
Balance in Bank 5/31/2022	\$ 153,937.31
Receipts	141.19
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 154,078.50
American Rescue Plan – 95	
Balance in Bank 5/31/2022	\$ 213,370.65
Receipts	196.56
Expenditures	0.00
Balance in Bank 6/30/2022	\$ 213,567.21

Mr. Heller made a motion, second by Mr. Neubauer, to authorize the Borough Manager to release the \$50,000 donation committed by Borough Council on July 6<sup>th</sup>, 2021 to the Midget Baseball League in support of the construction of ADA compliant restrooms at the Mackey Baseball Field in the Boyertown Community Park, donation to be made from the General Fund. 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. Heller opened discussion on the Multimodal Transportation Fund Grant application for funding of the Mainstreet Streetscape Phase II Project. Ms. Blank was recognized and discussed with the Council dialogue which took place with Nathaniel Guest, Executive Director of the Colebrookdale Railroad, concerning the RR’s intent to file an application for funding to complete improvements to the railroad yard, including public sidewalk improvements on South

Washington Street and East Third Street. Initial discussions included the idea of joining the Borough's project and the RR's project in one application; however, DCED personnel recommended against it, and suggested each applicant submit a letter of support for the other's application. DCED officials stated that combining the two projects brings the project cost to \$2,000,000, which is too high given the limit of grant funds available this year. DCED personnel do feel the projects compliment each other, and recommend each entity support the other's project.

Following discussion, a motion was made by Mr. Deery, second by Mr. Heller, to approve Resolution Number 07-05-2022 to designate the Council President as the official authorized to execute all documents to facilitate and assist in obtaining the grant. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, and Mr. Deery. Mr. Gabel cast a "no" vote. The motion was approved.

Mr. Neubauer made a motion, second by Mr. Cascino, to authorize submission of a letter of support for Colebrookdale Railroad's Multi Modal Grant Application for improvements to the railyard contingent on the Colebrookdale Railroad's submission of a letter of support of the Borough's Multi Modal Grant Application for the Main Street Streetscape Phase II Project and conditioned upon the railroad paying all additional costs associated with the letter of support and modification of the grant application narrative. The roll call vote reflected the following members voting "yes"; Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, and Mr. Deery. Mr. Gabel cast a "no" vote. The motion was approved.

Mr. Heller made a motion, second by Mr. Endy, to authorize the Borough Manager to execute the document received from the County of Berks accepting the initial terms of the approval of our grant funding application to alleviate sewer main surcharge on Madison Street and Rhoads Avenue. 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 May 2022:

During the month of May 2022, a total of 21,218,000 gallons of water was processed through the water filter plant for an average of 684,000 gallons per day.

The totals came from these sources:

Trout Run	16,299,000
Ironstone	-0-
Boyertown Reservoir	10,495,000
Pumping from Trout Run	31 days
Pumping from Ironstone	0 days

Trout Run is at a level of 602.920 feet with approximately 387,000,000 gallons of water. Popodickon Reservoir is at a level of 38 feet with approximately 34,600,000 gallons of water. Precipitation in May was 6.9 inches.

**Public Utilities – Sewer, Keith Endy**

The following Wastewater Treatment Report was submitted for the month of May 2022:

	<b>Average Effluent</b>	<b>NPDES Maximum Allowed</b>
BOD	4.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.83 mg/l	4.8 mg/l
Phosphorus	1.03 mg/l	1.5 mg/l
Suspended Solids	9.00 mg/l	20.0 mg/l
	<b>Average Effluent</b>	<b>NPDES Maximum Allowed</b>
Fecal Coliform	16/100 mg/l	200/100 mg/l

The average daily flow at the Wastewater Treatment Plant during the month of May was 622,000 gallons.

**Public Works, Barry Christman**

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

During the month of June Street Department personnel mowed grass, performed maintenance work at the community park, cleaned catch basins, patched potholes, trimmed trees within the public right of way, assisted with set up and clean up for the Memorial Day Parade, Boyertown Fun Days, and the Philadelphia Avenue Street Fair, and performed routine maintenance on borough buildings, equipment, and vehicles.

**House, Gene Gabel**

Mr. Gabel made a motion, second by Mr. Neubauer, to authorize the Council President to execute a Park Use Agreement with the Boyertown Historical Society for the tractors in the Park event to be held on September 10<sup>th</sup>, 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. Gabel made a motion, second by Mr. Heller, to authorize the Council President to execute a Park Use Agreement with the Boyertown Historical Society for the societies’ 50<sup>th</sup> Birthday Celebration on August 14<sup>th</sup>, 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.

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Mr. Gabel made a motion, second by Mr. Cascino, to authorize an expenditure from the Recreation Fund in an amount not to exceed \$2,000 to provide financial support for an eagle Scout Project to construct a sign board at the Boyertown Community Park. 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. Gabel made a motion, second by Mr. Endy, to appoint Tracey Mackey, 122 College Street, to the Park and Recreation Board, term to expire 2025. 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 Communication, Jeffrey Cascino**

Mr. Cascino reported that work on development of the new website is underway. A website design meeting was held last week and a content meeting is scheduled for Thursday of this week.

### **Park and Recreation Board, Barry Christman**

Mr. Christman reported that a scout recently completed an Eagle Scout Project identifying trees in the Community Park.

### **Planning Commission, Charles Neubauer**

The following Code Enforcement Report for the month of June 2022, as provided by Systems Design Engineering, Inc. was submitted. SDE issued two UCC Permits and two Zoning Permits during the Month of June. Mr. Neubauer noted that the property maintenance and rental inspection report for the month of June has not yet been submitted. The miscellaneous permit report reflected the issuance of one soliciting permit and two yard sale permits.

### **Police and Public Safety, Charles Neubauer**

Mr. Neubauer made a motion, second by Mr. Heller, to authorize advertising Ordinance Number 03-2022 for adoption on August 1<sup>st</sup>, 2022 to amend the Code of the Borough of Boyertown, Chapter 184 Entitled, Vehicles and Traffic, to designate No Parking on the north side of East Fifth Street for a distance of 30’ from Poplar Alley, and to designate the unnamed service street located between 364 and 372 South Reading Avenue one-way from South Reading Avenue to the first service street intersection. 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. Neubauer made a motion, second by Mr. Gabel, to hire Shawn Pancoast for the position of part-time Parking Enforcement Officer for a six month probationary period at an hourly pay rate of \$17.00. 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.

Mr. Neubauer then opened discussion on the topic of elimination of parking on one side of East Philadelphia Avenue. Mr. Heller commented that the issue is safety and that he believes removal of parking on one side of the street will increase vehicle speeds. Mr. Endy commented that parking as it currently exists is a calming effect slowing the speed of traffic, and elimination of parking will create a safety issue. Mr. Deery noted that the subject was brought up as a safety issue and he feels elimination of parking will increase vehicle speeds. The current condition provides a buffer and a traffic calming effect. Mr. Neubauer questioned the concentrated effort of a few blocks of Philadelphia Avenue. Mr. Neubauer also commented that after observing traffic patterns he believes trucks traveling east bound on Philadelphia Avenue that are presently turning left at the main intersection onto North Reading Avenue would opt instead to continue east bound on Philadelphia Avenue if parking were eliminated on one side of the street. Mr. Cascino expressed that there is no right or wrong answer and that parking is an issue; however, he favors elimination of parking on one side of Philadelphia Avenue.

Following all discussion, Mr. Neubauer made a motion, second by Mr. Heller, to keep parking on East Philadelphia Avenue as it presently exists. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Endy, Mr. Neubauer, Mr. Gabel, and Mr. Deery. Mr. Cascino cast a “no” vote. The motion was approved.

### **Police Activities, Mayor Lorraine Carnes**

The following Police Activities Report for the month of June 2022 was submitted:

Total Incidents	214
Criminal Arrests	10
Vehicle Arrests	58
Accidents	4
Parking Tickets	3

Mayor Carnes reported on the Mayor’s activities during the Month of June.

### **Building a Better Boyertown**

Mrs. Martignetti reviewed with Council a written report on the activities of the organization during the Month of June. Highlights of the report included the following, BaBB has contracted with Serv Pro of Reading to remove the numbers painted on the brick ribbon within the public right of way prior to the Coming Out of Hibernation event. The Borough Manager will coordinate with Mrs. Martignetti on posting of “no parking” signs for the work to be completed. It is expected to be completed in one day.

The artist painting the No Place for Hate mural is looking for 5 – 10 volunteers to paint the gray base coat on the building on Saturday, August 6<sup>th</sup> weather dependent, with a rain date of Saturday, August 13<sup>th</sup>.

**Solicitor, Christopher Hartman**

Mr. Hartman reviewed with Council the First Amendment to Lease Agreement between the Redevelopment Authority of the County of Berks and the Borough concerning the lease of a parcel of land identified as Property Identification No. 33538720706197 consisting of approximately 1.320 acres for the future construction of a salt shed. As discussed at the June 6<sup>th</sup> meeting of Borough Council, the Authority wishes to construct additional storage bin facilities and an access driveway on a portion of the existing storage bin premises and on a portion of the original leased premises. This construction will straddle the boundary of both parcels, which Mr. Hartman notes was of concern to some members of Council. This lease amendment permits the Authority to construct the new storage bin facilities and driveway encroachment on the original leased premises, and provides the Borough the right to use the access driveway at no cost for the remaining term of the original lease. The remaining area of the original leased premises shall hereinafter be referred to as the Amended Lease Premises.

Mr. Hartman noted that the Amendment to Lease Agreement includes the condition that within 90 days after the execution of the First Amendment the Authority must submit an application for subdivision to the Borough of Boyertown and follow through to recording for adjustment of the lot line between the original leased premises and the existing storage bin facilities so as to place all of the existing and proposed storage bin facilities, including the access driveway, on one lot; or record a deed merging the lot on which the original leased premises is located with the existing storage bin premises lot.

Following a brief discussion, Mr. Heller made a motion, second by Mr. Neubauer, to authorize the Council President to execute the First Amendment to Lease Agreement between the Redevelopment Authority of the County of Berks and the Borough of Boyertown. 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.

There being no public comment and no further business to conduct, a motion to adjourn the meeting at 8:25 p.m. was made by Mr. Heller, second by Mr. Christman. The next meeting of Boyertown Borough Council will be held on Monday, August 1<sup>st</sup>, 2022 at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder  
Borough Secretary