

**BOROUGH OF BOYERTOWN COUNCIL MEETING**  
**August 1, 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; and interested citizens.

All rose for the Pledge of Allegiance.

Mr. Deery made a motion, second by Mr. Gabel, to approve the minutes of the July 5<sup>th</sup>, 2022 meeting of Council. The motion was approved.

**Finance, Charles Heller**

Mr. Heller made a motion, second by Mr. Neubauer, to approve the lists of Revenues, Expenditures and Bills for July 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 6/30/2022	\$1,039,863.50
Receipts	152,404.37
Expenditures	212,277.76
Balance in Bank 7/31/2022	\$ 979,990.11
Tank Maintenance Fund - 04	
Balance in Bank 6/30/2022	\$ 449,640.80
Receipts	616.03
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 450,256.83
Water Fund – 06	
Balance in Bank 6/30/2022	\$ 629,452.69
Receipts	184,171.88
Expenditures	170,501.89
Balance in Bank 7/31/2022	\$ 643,122.68

Sewer Fund – 08	
Balance in Bank 6/30/2022	\$ 490,203.66
Receipts	167,283.56
Expenditures	149,767.15
Balance in Bank 7/31/2022	\$ 507,720.07
Recreation Fund – 09	
Balance in Bank 6/30/2022	\$ 108,664.05
Receipts	1,680.58
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 110,344.63
Colonial Corners Fund – 13	
Balance in Bank 6/30/2022	\$ 26,933.91
Receipts	442.63
Expenditures	244.60
Balance in Bank 7/31/2022	\$ 27,131.94
Trail Feasibility Study Fund – 15	
Balance in Bank 6/30/2022	\$ 3,504.55
Receipts	3.73
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 3,508.28
Capital Improvement General Fund – 17	
Balance in Bank 6/30/2022	\$1,983,368.33
Receipts	2,767.60
Expenditures	158,412.06
Balance in Bank 7/31/2022	\$1,827,723.87
Forest Management – 19	
Balance in Bank 6/30/2022	\$ 131,610.80
Receipts	180.31
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 131,791.11
Capital Improvement Water Fund – 20	
Balance in Bank 6/30/2022	\$ 950,853.83
Receipts	1,455.16
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 952,308.99

Capital Improvement Sewer Fund – 30	
Balance in Bank 6/30/2022	\$ 372,657.23
Receipts	510.56
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 373,167.79
Liquid Fuels Fund – 35	
Balance in Bank 6/30/2022	\$ 154,078.50
Receipts	210.17
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 154,288.67
American Rescue Plan – 95	
Balance in Bank 6/30/2022	\$ 213,567.21
Receipts	966.22
Expenditures	0.00
Balance in Bank 7/31/2022	\$ 214,533.43

Mr. Heller made a motion, second by Mr. Cascino, to authorize the purchase of office furniture from Office Service Company in the amount of \$29,047.73 PA State Contract No. 44000025661, R191802; and 400025659. 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 made a motion, second by Mr. Gabel, to approve Change Order #11 Borough Office Building Renovation Project in the amount of \$402.50 for installation of a window blind. 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 made a motion, second by Mr. Cascino, to approve Gilmore & Associates, Inc. Change Order #2 in the amount of \$2,000 for the Main Street Streetscape Phase 2 Multi Modal Grant application to incorporate railroad improvements in exhibits and narrative. 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 made a motion, second by Mr. Neubauer, to authorize execution of the proposal for conversion services provided by General Code in the amount of \$2,834.00 to convert the Boyertown/Colebrookdale/Pike Joint Zoning Ordinance onto General Code’s eCode 360 platform. 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 made a motion, second by Mr. Gabel, to authorize execution of the Grant Funding Agreement with the County of Berks in the amount of \$415,922.00 for funding of the Rhoads Avenue/Madison Street Inflow and Infiltration Project. 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.

Discussion and consideration was given on a request made by Charles Haddad for the Borough to make a donation of \$5,000 to be used as part of a match for a grant application to be submitted to the Boyertown Charitable Giving Fund requesting a marketing grant in the amount of \$10,000. The grant would be submitted under the name Boyertown Living History Museums (BLHM), which is comprised of the Colebrookdale Railroad, Boyertown Museum of Historic Vehicles, Boyertown Historical Society and the General Carl Spaatz Museum. The idea is for the four entities to collaborate in the promotion of their venue as a destination place for historical tourism in the Borough of Boyertown.

Solicitor Hartman stated that Section 1202 of the Pennsylvania Borough Code permits appropriations for tourist promotion activities if the funds are given to a tourist promotion agency as defined in the Tourism Promotion Act. There is no authority in the Borough Code to give funds to museums other than through Subsection (32) and, if they qualify, Subsection (44).

Following discussion, a motion was made by Mr. Heller, second by Mr. Neubauer, to authorize the donation as requested to a qualified tourist promotion agency as defined by the Pennsylvania Statute and conditioned upon award of the grant from Boyertown Charitable Giving 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 made a motion, second by Mr. Endy, to authorize TL Conrad Electric to replace fifteen high pressure sodium lights in the Town Center Parking Lot with LED lights at a cost of \$200 per fixture. 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 then made a motion, second by Mr. Gabel, to approve a Community Yard Sale event on Saturday, September 3<sup>rd</sup>, 2022; participants will be required to obtain a yard sale permit, the \$5.00 fee will be waived; the event will be advertised by the Borough in a local newspaper. 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 June 2022:

During the month of June 2022, a total of 21,426,000 gallons of water was processed through the water filter plant for an average of 714,000 gallons per day.

The totals came from these sources:

Trout Run	16,604,000
Ironstone	-0-
Boyetown Reservoir	10,511,000
Pumping from Trout Run	30 days
Pumping from Ironstone	0 days

Trout Run is at a level of 602.170 feet with approximately 381,000,000 gallons of water. Popodickon Reservoir is at a level of 38 feet with approximately 34,200,000 gallons of water. Precipitation in June was 5.3 inches.

Mr. Endy made a motion, second by Mr. Heller, to authorize execution of the First Amendment to the Water and Wastewater Operation and Maintenance Agreement between the Borough and Inframark, LLC. The roll call vote reflected the following members “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, Mr. Gabel and Mr. Deery. The motion was approved.

**Public Utilities – Sewer, Keith Endy**

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

	<b>Average Effluent</b>	<b>NPDES Maximum Allowed</b>
BOD	3.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.11 mg/l	4.8 mg/l
Phosphorus	.82 mg/l	1.5 mg/l
Suspended Solids	4.00 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 June was 434,000 gallons.

### **Public Works, Barry Christman**

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

During the month of July Street Department personnel mowed grass, performed maintenance work at the community park, cleaned catch basins, patched potholes, painted crosswalks, and performed routine maintenance on borough buildings, equipment, and vehicles.

### **House, Gene Gabel**

No report

### **Public Communication, Jeffrey Cascino**

Mr. Cascino reported that work on development of the new website continues; the new site should be ready to go live by the end of August.

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

Mr. Christman reported that the board continues to work on planning for the Fall Festival Event to be held at the Community Park on Sunday, October 16<sup>th</sup>.

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

The following Code Enforcement Report for the month of July 2022, as provided by Systems Design Engineering, Inc. was submitted. SDE issued eight UCC Permits and five Zoning Permits during the Month of July. Eighteen rental units were inspected and numerous notices of violation were issued for property maintenance code violations. The miscellaneous permit report reflected the issuance of three street opening permits and three yard sale permits.

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

Mr. Neubauer made a motion, second by Mr. Endy, to approve Ordinance Number 03-2022 to amend the Code of the Borough of Boyertown, Chapter 184 Entitled, Vehicles and Traffic, Article VI: "One-Way Streets", to change the designation of an unnamed service street in the middle of the 300 block of South Reading Avenue to one way east bound and Schedule XII: "Parking Prohibited at All Times" to add no parking on the north side of East Fifth Street for a distance of thirty feet west of Poplar Alley. 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 approve a Park Use Agreement with the Boyertown Rotary Club for use of the Community Park on October 1<sup>st</sup>, 2022 for the Rotary Club Fall Frolic 5K Run. The roll call 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 made a motion, second by Mr. Endy, to approve the Boyertown Rotary Club’s 5K Run on October 1<sup>st</sup>, 2022 in accordance with the course map provided to the Borough, conditioned upon approval of the 5K Run by Colebrookdale and Douglass Townships, and receipt of a certificate of liability insurance naming the Borough additional insured; this is a “share the road” event. 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 July 2022 was submitted:

Total Incidents	221
Criminal Arrests	12
Vehicle Arrests	90
Accidents	4
Parking Tickets	1

Mayor Carnes reported on the Mayor’s activities during the Month of July. The report reflected the Mayor’s attendance at a Community Leaders Meeting, BaBB Board Meeting, Rotary Club Meeting, and the Borough Park and Recreation Board Meeting, Council Committee Meetings, and Borough Council Meeting. In addition Mayor Carnes threw out the first pitch at the Reading Fightin Phillies game on July 17<sup>th</sup>, and participated in the Berks Mont Business Associations Wine Walk on July 22<sup>nd</sup>.

### **Building a Better Boyertown**

Mrs. Martignetti reviewed with Council a written report on the activities of the organization during the Month of July. The next Farmer’s Market is slated to be held on August 4<sup>th</sup> from 4:00 p.m. to 8 p.m.; the first Friday August theme is “Artful August” each participating business will have some sort of art related theme or event. BMBA’s Charity Wine Walk is scheduled for Friday, August 26<sup>th</sup> from 5:30 p.m. to 8:00 p.m. No Place for Hate Mural preparation day is Saturday, August 6<sup>th</sup> weather dependent, with a rain date of Saturday, August 13<sup>th</sup>. Volunteers are needed; all supplies will be provided.

Mr. Deery called for public comment and recognized Jamie Cascino who expressed concern about weed growth in the public sidewalk on the main street. Discussion was held on the subject and it was noted that weeds must be eight inches in height to be in violation of the “grass and weed” ordinance. Discussion continued on the subject and Mr. Hartman advised that he could draft an ordinance that would prohibit weed growth in the public sidewalk regardless of the height. Following discussion, a motion was made by Mr. Gabel, second by Mr. Heller, to authorize the solicitor to draft an ordinance to prohibit the growth of weeds in the public sidewalk. 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 8:05 p.m. was made by Mr. Gabel, second by Mr. Heller. The next meeting of Boyertown Borough Council will be held on Tuesday, September 6<sup>th</sup>, 2022 at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder  
Borough Secretary