

BOROUGH OF BOYERTOWN COUNCIL MEETING
September 7, 2021

The regular meeting of the Boyertown Borough Council was called to order at 7:00 p.m. by Council President Frank Deery. Council members present in addition to Mr. Deery were Charles Heller, Barry Christman, Lorraine Carnes, Keith Endy, Terry Mest and Gene Gabel.

Also in attendance were Marianne Deery, Mayor; Patricia Loder, Borough Manager; Christopher Hartman, Solicitor; Jillian Magee, Main Street Manager; Colonel Keith Seiwel, General Spatz Museum; Charles Haddad, State Theater; Nathaniel Guest, Colebrookdale Railroad; Mark Malizzi, American Legion; Jeff Schantz, Boyertown Area Multi Service; and Matt Fessler, Hartman, Valeriano, Magovern & Lutz; and Police Chief Barry Leatherman.

All rose for the Pledge of Allegiance.

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

Mr. Deery then recognized Colonel Seiwel who extended an invitation to the elected officials to attend the Grand Opening and Ribbon Cutting Ceremony for the General Spatz Museum on October 2nd.

Mr. Deery then recognized Mr. Charles Haddad, State Theatre, who extended an invitation to the elected officials to attend an original stage show presentation by the Talisman Players of "Pandemic" The Year we Lost. There will be three shows Saturday, October 16th at 7:00 p.m.; Sunday, October 17th at 1:00 p.m.; and Thursday, October 21st at 7:00 p.m. Officials planning to attend should advise Mr. Haddad.

Mr. Deery called for a motion to approve the minutes of the August 2nd, 2021 meeting of Borough Council. The motion was made by Mr. Gabel, seconded by Mr. Heller, and approved.

Finance, Charles Heller

Mr. Heller made a motion, second by Mr. Mest, to approve the lists of Revenues, Expenditures and Bills for August 2021. The motion was approved.

The following is a summary of the Financial Report:

General Fund	
Balance in Bank 07/31/2021	\$851,305.90
Receipts	77,840.62
Expenditures	155,073.71
Balance in Bank 08/31/2021	\$774,072.81
Tank Maintenance Fund	
Balance in Bank 07/31/2021	\$423,576.09
Receipts	14.44
Expenditures	0.00
Balance in Bank 08/31/2021	\$423,590.53

Water Fund	
Balance in Bank 07/31/2021	\$611,131.98
Receipts	118,187.33
Expenditures	131,060.89
Balance in Bank 08/31/2021	\$598,258.42
Sewer Fund	
Balance in Bank 07/31/2021	\$460,707.28
Receipts	80,482.03
Expenditures	98,175.78
Balance in Bank 08/31/2021	\$443,013.53
Recreation Fund	
Balance in Bank 07/31/2021	\$ 97,511.19
Receipts	603.26
Expenditures	325.00
Balance in Bank 08/31/2021	\$ 97,789.45
Colonial Corners Fund	
Balance in Bank 07/31/2021	\$ 28,813.19
Receipts	300.80
Expenditures	1,546.08
Balance in Bank 08/31/2021	\$ 27,567.91
Trail Feasibility Study	
Balance in Bank 07/31/2021	\$ 0.20
Receipts	0.00
Expenditures	0.00
Balance in Bank 08/31/2021	\$.20
Capital Improvement General	
Balance in Bank 07/31/2021	\$1,882,523.91
Receipts	66.50
Expenditures	12,314.65
Balance in Bank 08/31/2021	\$1,870,375.76
Forest Management	
Balance in Bank 07/31/2021	\$ 131,298.52
Receipts	4.47
Expenditures	0.00
Balance in Bank 08/31/2021	\$ 131,302.99

Capital Improvement Water Fund	
Balance in Bank 07/31/2021	\$1,026,903.83
Receipts	35.08
Expenditures	4,813.53
Balance in Bank 08/31/2021	\$1,022,125.38
Capital Improvement Sewer Fund	
Balance in Bank 07/31/2021	\$ 404,658.05
Receipts	13.95
Expenditures	5,800.00
Balance in Bank 08/31/2021	\$ 398,872.00
Liquid Fuels Fund	
Balance in Bank 07/31/2021	\$ 156,374.25
Receipts	688.32
Expenditures	0.00
Balance in Bank 08/31/2021	\$ 157,062.57
Operating Reserve Fund	
Balance in Bank 07/31/2021	\$ 213,060.43
Receipts	7.26
Expenditures	0.00
Balance in Bank 08/31/2021	\$ 213,067.69

Mr. Heller reviewed with the members the bid results opened on August 2nd for the renovation of Borough Hall. The total base bid price is \$898,263.23; base bid price includes renovation of the main and basement levels. The total base bid price minus alternate one is \$678,100.00. Base bid minus alternate one is the price to renovate the main level only.

Following discussion, Mr. Heller made a motion, second by Mr. Gabel, to award the General Construction bid for the renovation of Borough Hall to Hollenbach Construction, Inc., 166 Holly Road, Boyertown, PA, in the amount of \$360,000. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Heller made a motion, second by Mr. Christman, to award the Electric bid for the renovation of Borough Hall to Shannon A. Smith, 420 Cherry Street, Myerstown, PA, in the amount of \$87,700. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Heller made a motion, second by Mrs. Carnes, to award the Plumbing bid for the renovation of Borough Hall to Myco Mechanical, Inc., 1 N. Washington Street, Telford, PA, in the amount of \$84,000. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Heller made a motion, second by Mrs. Carnes, to award the HVAC bid for the renovation of Borough Hall to Spotts Brother, Inc., 1327 Long Run Road, Schuylkill Haven, PA, in the amount of \$146,000. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Mr. Heller then reviewed with the members a letter received from Nathaniel Guest, Executive Director, of the Colebrookdale Railroad Preservation Trust, requesting a waiver of water and sewer connections fees in the amount of \$18,000 for connection of the railroad property to the Borough’s public water and sewer system; and a \$10,000 contribution to support work in the railroad yard and the Pear Street Area.

Mr. Guest was recognized and shared with the members improvements that have been made to the property and future improvements planned for the space with a major federal grant investment secured with the assistance of Representative Dean and her staff. Mr. Guest noted that to date and with the new investment of the federal grant over \$3 million dollars will have been put into the space.

Discussion on the subject of a \$10,000 contribution included whether or not to consider the contribution from the American Rescue Plan Funds or from the General Fund. It was noted that the final regulations for use of the American Rescue Plan Funds is expected to be published by the Federal Government in October or November. Solicitor Hartman noted that the Borough could donate funds from the General Fund to the Trust if those funds are to be used to enhance an area enjoyed and used by the public. Mr. Guest and elected officials commented that the property is open to the general public and is routinely used by the public.

Following discussion, a motion was made by Mr. Deery, second by Mrs. Carnes, to waive the water and sewer connection fees for the railroad project and to approve the donation of \$10,000 for the railroad yard project with the source of those funds to be determined at a future date. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, and Mr. Deery. Mr. Gabel cast a “no” vote. The motion was approved.

Mr. Deery then made a motion, second by Mrs. Carnes, to approve Resolution Number 09-07-2021 authorizing the Borough to enter into an Intergovernmental Agreement with the County of Berks for Emergency Dispatch Services. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, 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 July. A total of 19,534,000 gallons of water was processed through the water filter plant for an average of 630,000 gallons per day. The totals came from these sources:

Trout Run	21,596,000
Ironstone	-0-
Boyertown Reservoir	3,412,000
Pumping from Trout Run	31 days
Pumping from Ironstone	0 days

Trout Run is at a level of 599.920 feet with approximately 354,000,000 gallons of water. Popodickon Reservoir is at a level of 38 feet with approximately 34,600,000 gallons of water. Precipitation in July was 4.8 inches.

Public Utilities – Sewer, Keith Endy

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

	Average Effluent	NPDES Maximum Allowed
B.O.D.	2.00 mg/1	20.0 mg/1
Ammonia Nitrogen	.10 mg/1	4.8 mg/1
Phosphorus	.48 mg/1	1.5 mg/1
Suspended Solids	4.0 mg/1	20.0 mg/1
Fecal Coliform	4/100 mg/1	200/100 mg/1

The average daily flow at the Wastewater Treatment Plant during the month of July was 362,000 gallons.

Public Works, Barry Christman

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

During the month of August, street department personnel patched streets and alleys, cleaned catch basins, mowed grass, completed removal of a deteriorated wall and installation of a new wall at the municipal parking lot on South Reading Avenue, removed graffiti from park property, and performed routine maintenance on borough buildings, equipment and vehicles.

House, Gene Gabel

Mr. Gabel made a motion, second by Mr. Endy, to authorize the Council President to execute a Park Use Agreement with the Boyertown Community Library for use of the Community Park on October 23rd, 2021, to hold a Disc Golf Tournament fundraising event for the library. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

Public Communication, Lori Carnes

No report

Park and Recreation Board, Lori Carnes

No report

Planning, Frank Deery

Mr. Deery submitted the Code Enforcement Report for the month of August. The report reflected the issuance of one UCC Permit and one zoning permit. Thirty nine Notices of Violation were issued for property maintenance code violations, and seventeen rental units were inspected. Miscellaneous permits issued included one yard sale permit.

Police and Public Safety, Terry Mest

Mr. Mest made a motion, second by Mr. Gabel, to approve the closure of General Spaatz Avenue from Warwick Street to the property line of 28 Warwick Street on October 2nd between the hours of 8:00 a.m. to 4:00 p.m. for the ribbon cutting and opening dedication of the General Spaatz WWII Museum and to authorize the designation of two handicap parking spaces at 10 Warwick Street during the event. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel and Mr. Deery. The motion was approved.

The members then reviewed a letter of request submitted by the Boyertown Area Multi Service to hold the 6th Annual Thanksgiving Day Turkey Trot. The race will begin and end at the Boyertown Community Park and the event runs from 8:00 a.m. to 11:00 a.m. The course will be open from 9:00 a.m. to 10:00 a.m. It is requested that Philadelphia Avenue be closed

from Madison Street to Washington Street. Chief Leatherman stated that the event organizer must file the PennDOT application for a Special Event Permit for permission to close Philadelphia Avenue. The Chief also stated that the Eastern Berks Regional Police Department does not have available man power to provide traffic control for the event, and the event organizer will have to contract for traffic control services.

Following discussion, a motion was made by Mr. Mest, second by Mrs. Carnes, to approve the request submitted by the Boyertown Area Multi Service to hold the 6th Annual Turkey Trot 5K Run on Thursday, November 25th, 2021 conditioned on the Multi Service engaging the services of a traffic control company, and providing the Borough of Boyertown with a certificate of liability insurance naming the Borough additional insured, and approval of the event by Colebrookdale Township Board of Commissioners. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

The members then recognized Mr. Mark Malizzi, representing the American Legion who submitted a request for Borough Council to authorize the closure of Walker Drive on Sunday, September 12th between the hours of 9:00 a.m. to 3:00 p.m. for the 1st Annual Boyertown American Legion Car Show. Traffic control will be provided by BAF&R and Eastern Berks Regional Fire Police. Discussion was held on the request following which Mr. Mest made a motion, second by Mr. Heller, to approve the closure of Walker Drive on Sunday, September 12th between the hours of 9:00 a.m. to 3:00 p.m. for the 1st Annual Boyertown American Legion Car Show, conditioned on providing the Borough with a Certificate of Liability Insurance naming the Borough additional insured. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mrs. Carnes, Mr. Endy, Mr. Mest, Mr. Gabel, and Mr. Deery. The motion was approved.

Police Activities, Mayor Marianne Deery

The Eastern Berks Regional Police Department Activities Report for the month of August is as follows: Total Incidents in the Borough 237; Criminal Arrests 10; Vehicle Arrests 54; Accidents 7.

Building a Better Boyertown, Jillian Magee, Main Street Manager

Ms. Magee reviewed the August report of the Main Street Manager. The full report is on file in the Borough Administrative Office.

Solicitor

Mrs. Carnes made a motion, second by Mr. Endy, to approve Ordinance Number 03-2021 vacating the entirety of an unnamed twelve foot wide alley located off of South Reading Avenue.

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

Public Comments

Mr. Deery called for public comment and recognized Mr. Nathaniel Guest who thanked the Eastern Berks Regional Police Department for their assistance in locating the individuals responsible for the theft of a generator from the railroad property.

Mr. Deery announced that following adjournment Borough Council will hold an executive session to discuss a real estate matter.

There being no further business to conduct a motion to adjourn the meeting at 8:25 p.m. was made by Mrs. Carnes and second by Mr. Gabel. The next meeting of Boyertown Borough Council will be held on Monday, October 4th, 2021 at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder
Borough Secretary