

**BOROUGH OF BOYERTOWN COUNCIL MEETING**  
**April 3, 2023**

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 council members Keith Endy, Charles Heller, Barry Christman, Jeffrey Cascino, and Charles Neubauer. Council member Gene Gabel was absent.

Also in attendance were Lorraine Carnes, Mayor; Patricia Loder, Borough Manager; Christopher Hartman, Solicitor; and numerous interested citizens.

All rose for the Pledge of Allegiance.

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

Mr. Deery then recognized Justin Bodor who introduced himself and spoke briefly with the elected officials about his candidacy for Court of Common Pleas Judge.

Mr. Neubauer made a motion, second by Mr. Cascino, to approve the minutes of the March 6<sup>th</sup>, 2023 meeting of Council. The motion was approved by the membership present.

**Finance, Charles Heller**

Mr. Heller made a motion, second by Mr. Endy, to approve the lists of Revenues, Expenditures and Bills for March 2023. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, 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 2/28/2023	\$ 170,352.62
Receipts	329,863.74
Expenditures	174,619.26
Balance in Bank 3/31/2023	\$ 325,597.10
Tank Maintenance Fund - 04	
Balance in Bank 2/28/2023	\$ 475,637.26
Receipts	1,935.39
Expenditures	0.00
Balance in Bank 3/31/2023	\$ 477,572.65
Water Fund – 06	
Balance in Bank 2/28/2023	\$ 346,818.68
Receipts	245,448.05
Expenditures	217,191.32
Balance in Bank 3/31/2023	\$ 375,075.41

Sewer Fund – 08	
Balance in Bank 2/28/2023	\$ 390,723.54
Receipts	196,753.84
Expenditures	167,687.79
Balance in Bank 3/31/2023	\$ 419,789.59
Recreation Fund – 09	
Balance in Bank 2/28/2023	\$ 112,306.19
Receipts	5,606.98
Expenditures	150.00
Balance in Bank 3/31/2023	\$ 117,763.17
Colonial Corners Fund – 13	
Balance in Bank 2/28/2023	\$ 30,313.80
Receipts	2,238.70
Expenditures	244.60
Balance in Bank 3/31/2023	\$ 32,307.90
Trail Feasibility Study Fund – 15	
Balance in Bank 2/28/2023	\$ 3,575.16
Receipts	13.63
Expenditures	0.00
Balance in Bank 3/31/2023	\$ 3,588.79
Capital Improvement General Fund – 17	
Balance in Bank 2/28/2023	\$1,989,065.89
Receipts	8,093.59
Expenditures	10,300.00
Balance in Bank 3/31/2023	\$1,986,859.48
Forest Management – 19	
Balance in Bank 2/28/2023	\$ 134,595.61
Receipts	547.68
Expenditures	0.00
Balance in Bank 3/31/2023	\$ 135,143.29
Capital Improvement Water Fund – 20	
Balance in Bank 2/28/2023	\$ 855,847.80
Receipts	3,482.48
Expenditures	3,080.00
Balance in Bank 3/31/2023	\$ 856,250.28
Capital Improvement Sewer Fund – 30	
Balance in Bank 2/28/2023	\$ 482,594.80
Receipts	1,963.70
Expenditures	128,188.20
Balance in Bank 3/31/2023	\$ 356,370.30

Liquid Fuels Fund – 35	
Balance in Bank 2/28/2023	\$ 54,584.18
Receipts	112,780.35
Expenditures	1,729.28
Balance in Bank 3/31/2023	\$ 165,635.25

**Public Utilities – Water, Keith Endy**

The following Water Supply and Use Report was submitted for the month of February 2023:

During the month of February 2023, a total of 22,095,000 gallons of water was processed through the water filter plant for an average of 789,000 gallons per day.

The totals came from these sources:

Trout Run	16,939,000
Ironstone	-0-
Boyertown Reservoir	8,737,000
Pumping from Trout Run	28 days
Pumping from Ironstone	0 days

Trout Run is at a level of 593.170 feet with approximately 273,000,000 gallons of water. Popodickon Reservoir is at a level of 36.5 feet with approximately 30,800,000 gallons of water. Precipitation in February was 1.6 inches.

**Public Utilities – Sewer, Keith Endy**

The following Wastewater Treatment Report was submitted for the month of February 2023:

	<b>Average Effluent</b>	<b>NPDES Maximum Allowed</b>
BOD	2.00 mg/l	20.0 mg/l
Ammonia Nitrogen	.06 mg/l	1.6 mg/l
Phosphorus	.93 mg/l	1.5 mg/l
Suspended Solids	5.00 mg/l	20.0 mg/l
	<b>Average Effluent</b>	<b>NPDES Maximum Allowed</b>
Fecal Coliform	3/100 mg/l	200/100 mg/l

The average daily flow at the Wastewater Treatment Plant during the month of February was 340,000 gallons.

**Public Works, Barry Christman**

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

During the month of March Street Department personnel worked in the community park removing dead trees and cutting stumps in preparation for stump grinding, which will begin in April. Department personnel also emptied trash cans in the public right of way, and performed routine maintenance on borough buildings, equipment, and vehicles.

Mr. Christman made a motion, second by Mr. Endy, to approve Change Order #3 Rain Garden Bump-Out Project to extend the final project completion date to April 28, 2023 for completion of punch list items. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, and Mr. Deery. The motion was approved.

### **House, Gene Gabel**

Mr. Endy made a motion, second by Mr. Heller, to approve a Park Use Agreement with the Boyertown Museum of Historic Vehicles for the Duryea Day event to be held on September 2<sup>nd</sup>, 2023. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, and Mr. Deery. The motion was approved.

Mr. Endy then made a motion, second by Mr. Cascino, to approve a Park Use Agreement with Michele Moyer, 1472 Virmay Drive, Gilbertsville, PA for a Yoga Under the Stars event to be held on April 28<sup>th</sup>, 2023. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer and Mr. Deery. The motion was approved.

Mr. Endy made a motion to approve a Park Use Agreement with the Rotary Club of Boyertown for Pickleball Tournaments to be held on April 29<sup>th</sup>, rain date April 30<sup>th</sup>; June 24<sup>th</sup>, rain date June 25<sup>th</sup>; and August 5<sup>th</sup>, rain date August 6<sup>th</sup>. Mr. Haddad, a resident of the Borough in attendance at the meeting, requested permission to comment on the motion. Mr. Deery recognized Mr. Haddad and allowed him to comment. Mr. Haddad questioned who with the Rotary Club authorized entering into the Park Use Agreement expressing his opinion that this is not a proper use of the Rotary Club’s non-profit designation or their EIN. Following discussion, Mr. Endy withdrew his motion. Mr. Endy then made a motion to approve a Park Use Agreement with the Rotary Club of Boyertown for Pickleball Tournaments to be held on April 29<sup>th</sup>, April 30<sup>th</sup>; June 24<sup>th</sup>, rain date June 25<sup>th</sup>; and August 5<sup>th</sup>, rain date August 6<sup>th</sup> subject to confirmation that the Rotary Club has authorized execution of the agreement. The motion was seconded by Mr. Neubauer. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, and Mr. Deery. The motion was approved.

Mr. Endy then made a motion, second by Mr. Christman, to approve a Park Use Agreement with the Boyertown Community Library for a permanent Story Walk along the walking trail. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer and Mr. Deery. The motion was approved.

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

No report

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

Mr. Christman noted that the Park and Recreation Boards first event of the year will be a celebration of Earth Day and will be held at the Community Park on Saturday, April 22<sup>nd</sup>. Mr.

Christman also noted planning for the annual Boyertown Fun Days event is underway. The event will be held at the Community Park on June 1, 2 & 3.

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

The following Code Enforcement Report for the month of March, as provided by Systems Design Engineering, Inc. was submitted. SDE issued two UCC Permits, and one zoning permit, twenty eight rental unit inspections were completed, and Notices of Violation were issued for numerous property maintenance code violations. The miscellaneous permit report reflected the issuance of one street opening permit.

Mr. Neubauer made a motion to accept a 90-day extension of time for review of the Ruth Dierolf 406 & 408 East Fourth Street Sketch Plan, time extension to expire August 22, 2023. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer and Mr. Deery. The motion was approved.

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

Mr. Neubauer made a motion, second by Mr. Heller, to approve the closure of Walker Drive on Sunday, September 10<sup>th</sup>, 2023 between the hours of 9:00 a.m. to 2:00 p.m. for the 3<sup>rd</sup> Annual Boyertown American Legion Car Show, conditioned on traffic control being handled by BAF&R personnel, and receipt of a Certificate of Liability Insurance naming the Borough additional insured. The roll call vote reflected the following members voting “yes”: Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer, and Mr. Deery. The motion was approved.

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

The following Police Activities Report for the month of March 2023 was submitted:

Total Incidents	316
Criminal Arrests	6
Vehicle Arrests	117
Accidents	11

The Borough Parking Enforcement Officer issued 77 parking meter tickets and 17 time limit parking tickets.

Mayor Carnes reported on the Mayor’s activities during the Month of March. The report reflected the Mayor’s attendance at meetings of the Borough, Rotary Club, Community Leadership Group, United Way, BaBB, and Pickfest Committee. Mayor Carnes also participated in Boyertown Elementary Schools Read Across America event; Tri County Progress Dinner, and Boyertown Historical Society Dinner. Mayor Carnes also hosted a “Meet the Mayor” event on March 23<sup>rd</sup> at Borough Hall.

### **Building a Better Boyertown Main Street Manager, Ellen Martignetti**

Mrs. Martignetti is out of town and no report was provided.

**Solicitor**

No report.

Mr. Deery called for public comment and recognized Mr. Eric Guest a member of the Fat Cat Disc Golf Club. Mr. Guest provided statistics on use of the disc golf course and spoke in general about matters relating to the course.

Mr. Deery then recognized Mr. Clayton Leister who commented concerning street signage in alleys and lack of a handicap accessible entrance to the main office of Borough Hall.

Mr. Deery then recognized Mrs. Jamie Cascino who questioned management of weed growth on public sidewalk. Mr. Deery noted that maintenance of the public sidewalk is the responsibility of the property owner.

Mr. Deery then announced that Council would recess to executive session to discuss a potential litigation matter. Upon reconvening Mr. Neubauer made a motion, second by Mr. Cascino, to authorize the Borough Solicitor to defend the Zoning Officer at the Zoning Hearing with regard to the appeal of Hardware Realty LLC and to note that the Borough takes no position with regard to the other relief requested by the applicant. The roll call vote reflected the following members voting "yes": Mr. Heller, Mr. Christman, Mr. Cascino, Mr. Endy, Mr. Neubauer and Mr. Deery. The motion was approved.

There being no further comment or business to conduct, a motion to adjourn the meeting at 8:30 p.m. was made by Mr. Neubauer, second by Mr. Heller. The next meeting of Boyertown Borough Council will be held on Monday, May 1<sup>st</sup>, 2023 at 7:00 p.m.

Respectfully submitted,

Patricia A. Loder  
Borough Secretary