

**BALLY BOROUGH COUNCIL  
MINUTES OF THE AUGUST 6, 2024 MEETING**

The regular scheduled meeting of the Bally Borough Council was held on the above date at the Borough Hall. President, Glenn Mutter called the meeting to order at 7:00 pm. The meeting was opened with the Pledge of Allegiance.

Council Members present: Glenn Mutter, Paul Gehringer, Joshua Sloan, Michael Bauman, Joel Pilgert, and Michael Moll were present. Matthew Gehman was absent.

Also present: Solicitor, R. Tim Curley and Borough Manager, Wendy Mutter. Mayor David Schott was absent. There were 6 residents in attendance.

The agenda for this meeting had been posted on the door and the website, at least 24 hours prior to the meeting.

President Mutter announced the meeting is being recorded for minute taking purposes.

**COMMENTS AND SUGGESTIONS FROM RESIDENTS:**

Mike and Sue Groff of 803 Main Street, addressed the council concerning relief from sewer charges for a toilet that was left running while they were away on vacation for a week. They received a spreadsheet for the estimated overage of water usage which came to 22,000 gallons of usage over the average daily gallon calculation. A motion was made by Matt Gehman, seconded by Mike Moll to give the Groff's relief for 22,000 gallons in sewer. All Ayes.

**CONSENT AGENDA**

- a. Minutes of July 2, 2024 Council Meeting- A motion was made by Paul Gehringer, seconded by Mike Bauman, to approve the minutes. Matt Gehman abstained all others Ayes.
- b. Approval & Affirmation of Bills Presented- A motion was made by Mike Moll, seconded by Matt Gehman, to approve the bills. All Ayes.

**PRESIDING OFFICER REPORT** - No report

**COMMITTEE REPORTS:**

**Health, Safety, & Welfare:**

**Police report-** There was no meeting with police.

**Fire report-** The fire company thanked public works for their cooperation with the use of water and hose following a barn fire. There were a total of 34 calls for the month of July, 3 of those were in Bally with a total of 259 for the year to date for all municipalities. The chicken BBQ will be held at the Bally station on August 24th.

**Bally Ambulance** – Bally had 8 calls with a total of 113 calls for the month. Bally had 79 calls YTD and the company had 843 total calls YTD. The new ambulance is in service and the Company is having its 3 year license renewal next week. Many questions were asked concerning the participation of other municipalities in giving an EMS tax. Some municipalities have the tax but do not forward a

proportional amount of that tax to Bally. Mike Groff stated he is in communication with the municipalities they cover.

**Planning Commission** – Did not meet.

**Municipal Authority**- Met July 16<sup>th</sup> with a review of second quarter numbers.

**Zoning Hearing Board** –The board met July 17<sup>th</sup> for a special work session and came to a decision concerning the appeal hearing on June 19<sup>th</sup> from Steelsafe Storage on N Front Street. The board denied the appeal for the need of a zoning permit that meets the Borough’s zoning ordinance.

**BARDS Committee** – The annual bake sale and dog swim will be held on September 7<sup>th</sup>. The bake sale will start at 9:00 am with the dog swim beginning at 12:00 pm. Advertising would begin now. The manager addressed employees working the dog swim as employees instead of volunteers for liability purposes. A motion was made by Paul Gehringer, seconded by Matt Gehman to have the employees work the event under regular payroll. Joshua Sloan abstained all others Ayes.

**WWTP Report**- Nate Heffner was not in attendance but the report was provided to council without additional discussion.

#### **OLD BUSINESS:**

- **Speed humps on Creamery** – The Borough Manager spoke to the management office concerning Creamery Lane. They DO understand that the road is owned by the Borough and have no desire to take back ownership. The manager also stated that she is not sure that funds will be offered to put the macadam speed humps in. The discussion continued with information from the engineer on the need for a traffic study on the street. Although not law, a traffic study comes highly recommended and the street will not meet the requirement for speed humps. A motion was made by Matt Gehman, seconded by Mike Moll to reduce the speed limit on that street to 15 MPH and add additional “Children at Play” signs on the street to total at least 4. All Ayes.
- **Ordinance 310 Imposing a FIRE Tax** – The Ordinance was tabled until the next meeting to obtain information from the County on the requirements of matching the current real estate tax with discount, regular and penalty periods and correct the name of the former fire company. They do not want to have a discount period and want the effective date to be January 1, 2025.
- **Ordinance 311 Imposing an EMS Tax** - The Ordinance was tabled until the next meeting to obtain information from the County on the requirements of matching the current real estate tax with discount, regular and penalty periods and correct the name of the Ambulance association. They do not want to have a discount period and want the effective date to be January 1, 2025.

#### **NEW BUSINESS:**

- **Ordinance 312 Amending Water/Sewer Regulations Ordinance #256** - The Amendment was created to be able to charge residents whose properties had a lien was filed, to reimburse the Borough for legal and fling fees for unpaid water and sewer fees. A motion was made by Joshua Sloan, seconded by Mike Moll to send the Ordinance to advertising for adoption at the next council meeting. All Ayes.
- **Amend Ordinance #285** – The Borough Manager would like to discuss amending Ordinance 285 to include commercial type vehicles. Many complaints have been received from residents and the fire company concerning the 100 block of North Church Street and two commercial type vehicles that park across the Street from each other making passage even more narrow than it is with regular passenger vehicles being parked there. Council asked the Borough

Manager to send a letter to the residents parking in that area and let them know that if they continue to park that way, the Council will be forced to do something to alleviate the issue.

**SOLICITOR'S REPORT:**

- **Washington Township water agreement/understanding** – This item is tabled until a new location for well 6 has been determined.

**MAYOR'S REPORT:** No Report

**ENGINEER'S STATUS OF PROJECTS:**

A list of projects and their status was presented to council. A new project addressing storm water issue on N 7<sup>th</sup> Street was added to the list. It showed two options to address the storm water pipe at N 7<sup>th</sup> and Main Street. Council will go with the lower cost option.

**OFFICE REPORT**

- a. A five year review on the contamination site was held with EPA representatives, Arcadis representatives, the Borough Manager and PW Superintendent. The review included a tour and explanation of the operation of well 3, monitoring wells, air cleaners in the source site building and progress of the clean-up site.
- b. A note was received from a resident concerning a penalty for non-payment of water and sewer for the second quarter. The resident stated "he will not pay the penalty since he did not receive a bill and did not receive a delinquency notice". Council did not allow any leniency for not receiving a bill and the penalty will remain on the customer's account until paid.
- c. The Boy Scouts met with Nate concerning the August 24<sup>th</sup> water event in the park.

**QUESTIONS FROM RESIDENTS** – No questions or comments

**COMMENTS FROM COUNCIL MEMBERS** - None

**ADJOURNMENT-** A motion to adjourn the meeting was made by Matt Gehman, seconded by Paul Gehringer at 8:56 pm. All Ayes.

  
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President - Glenn Mutter

  
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Asst. Secretary – Wendy Mutter