

**BALLY BOROUGH COUNCIL
MINUTES OF THE MARCH 5, 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, Michael Moll, and Joel Pilgert were all present. Matthew Gehman was absent.

Also present: Mayor, David Schott; Solicitor, R. Tim Curley; Borough Manager, Wendy Mutter; Secretary, Tammy Wood; Public Works Superintendent, Nathan Heffner. There were two residents and one reporter in attendance.

The agenda for this meeting had been posted on the door and posted on the Borough 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 –

Rich Mingey inquired about the public water/sewer request for 1606 Main St. Tim Curley stated that a Professional Services Agreement will be offered once the engineers and solicitors have come to an agreement. Rich Mingey had a concern in the possible conflict of SDE being engineers for both Washington Township and Bally Borough. There is no foreseen conflict at this point, per Solicitor, Tim Curley. We are not permitted to add to the water burden until a redundant water source is available. Rich Mingey inquired if he should investigate putting a community well on site. Tim Curley stated that Mr. Mingey could investigate that option.

Matt Bakes offered that Jeff Ellick and Matt Swanson were recognized by Boyertown Boro for saving a cardiac arrest patient a few months ago.

CONSENT AGENDA

- a. Minutes of February 6, 2024 Council Meeting- A motion was made by Paul Gehringer, seconded by Michael Moll, to approve the minutes. All others Ayes.
- b. Approval & Affirmation of Bills Presented- A motion was made by Joshua Sloan, seconded by Michael Moll, to approve the bills. All Ayes.

PRESIDING OFFICER REPORT - No report

COMMITTEE REPORTS:

Health, Safety, & Welfare:

Police report- Officer Mains completed his taser re-certification for 2024. Later this year Officer Mains will complete his re-cert for child safety car seat installation.

Fire report- There were a total of 28 calls for February, with a grand total of 73 calls for the year. 2024 fund drive letters went out the first of the month. Settlement on the new Fire Company location will be March 15th. The property purchased previously on Rt 100 will be up for sale. Glenn Mutter asked when the Fire Company will be moving in to the new building. Mike Mutter stated that this will be a slow transition and he will keep us informed.

Bally Ambulance – February calls in Bally were 9, with a grand total of 124 calls for the month of February.

Planning Commission - Did not meet

Municipal Authority- Met February 20th. Proposed well 6 is currently in the hands of Fish and Wildlife. We need approval from them to move forward with the test well. Test well drilling is out to bid at this time. DEP is applying on behalf of Bally Borough.

Zoning Hearing Board –Did not meet.

BARDS Committee – Along with the community yard sale, BARDS may like to have a bake sale/car wash as a possible Spring fund raiser. A BARD’S supporter would like to donate to the tree fund and BARDS will match that donation. The Lion’s Club has submitted their liability insurance to the Borough for the Easter Egg Hunt. The pool has started advertising for hiring staff for the 2024 season.

WWTP Report- Stormwater projects have been on hold with grounds being too wet. Catch basins and 78 ft of pipe have been laid in the pool parking lot. The plan is to get the pool/playground area backfilled before the Easter Egg Hunt on Saturday, March 30th. The Chestnut St and pool parking lot projects should be paved in the coming month.

NEW BUSINESS:

- **Sale of 2007 Ford F550, tail gate salt spreader, snow blower and old jumping jack** – Council agrees that all should be put on Municibid.
- **Approval to sign Chapter 94 report on behalf of the Borough** – Michael Moll made the motion to allow Wendy Mutter to sign the annual sewer Chapter 94 report. Paul Gehringer seconded that motion, All Ayes. Glenn Mutter abstained from the vote.
- **Approval to sign NPDES Permit application on behalf of the Borough** – This is the permit to operate the sewer plant and is a 5-year renewal. Joshua Sloan made the motion for Wendy Mutter to sign NPDES permit application. Michael Bauman seconded that, All Ayes. Glenn Mutter abstained from the vote.
- **Digester project Change Order #1 for \$5,080.00** – Water is coming up into the tank through the relief valves when the water table gets high. The idea is to utilize manhole risers to control the water coming in. The risers will be removed once the work is complete. Motion to approve the change order was made by Paul Gehringer, seconded by Michael Moll. All Ayes.
- **Approval to sign Termination of Land Purchase from Kenneth Ehst.** The Ehsts signed and returned the letter to terminate the agreement of sale. A motion for Glenn Mutter and Tammy Wood to sign the termination letter made by Joshua Sloan, seconded by Michael Bauman. All Ayes.

OLD BUSINESS:

- **Traffic Study Main Street - Joshua Sloan tabled from last meeting** – This is still in research phase. Tabled until next meeting.
- **Reflective tape on Utility Poles Main Street – Joshua Sloan tabled from last meeting** – Joshua Sloan stated that Senator Pennychuick’s office told him that Bally Borough is on PennDOT’s list for the reflective tape to be replaced. This does require a request from the Borough. Joshua sent maps of the utility poles from MetEd and Windstream to Bally Borough. Tabled until next meeting.
- **PA Utility Program tabled from last month** – Per Tim Curley, the program started during the pandemic. This program could possibly slow down the collections process. The Borough currently works with residents with outstanding balances. There are arbitration and communication provisions. Tim is not sure that we gain anything by participating in this program and would like to find out more information. This is tabled until next meeting.

SOLICITOR'S REPORT:

- **Washington Township Sewer Agreement** – Tim is waiting on a final call with Joan London and this will be wrapping up. Rich Mingey asked if he could request a copy of the Agreement. Tim stated that this agreement is only addressing how the funds will be distributed between Washington Twp and Bally Borough. There is nothing new as far as the operation of the water/sewer system.
- **Land Access agreement with James Longacre** – There is a meeting scheduled with the land owner to go over the provisions of the sale of land for the potential new well site.

Tim Curley requests an executive session after the Council Meeting for an employment matter.

MAYOR'S REPORT:

Mayor Schott reported that the police had 59 calls for the month of February, for a total of 107 for the year. There were 178 gallons of fuel used in February and they drove 1,456 miles. There were 56 traffic citations, 1 DUI arrest and 2 parking tickets issued.

ENGINEER'S STATUS OF PROJECTS:

Chapter 94 report and NPDES have been added to the engineer reports. Glenn asked Nate if the manhole risers for N Church St. have been ordered. Nate stated that he needs to wait for blacktop availability to install them properly.

OFFICE REPORT

- Community Yard Sale date** – Council votes to have the community yard sale on Friday May 17th, Saturday May 18th and Sunday May 19th.
- Street name sign replacement** – We have some missing street name signs in the Borough. Option 1, replace 31 signs where reflective requirements will be met, at a cost of \$1,147.00; option 2 is to replace all signs, at a cost of \$2,512.00. Council agreed to replace all street name signs. The bolts may be an added few hundred dollars. The old street signs will be available for sale to Borough residents, then to auction.
- Ad for public works employee** – Paul Gehringer made a motion for the ad to be placed. Michael Moll seconded the motion. All Ayes. Joshua Sloan made a motion to allow the Personnel Committee the ability to hire and Joel Pilgert seconded the motion. All Ayes.
- WWTP Outfall Pipe** – Where the effluent pipe leaves the sewer plant going through Miller Road, there is 10" clay pipe. Roots are beginning to clump and break off inside the pipe. The property is an old cow pasture with a 20 ft drop off and to get there with our equipment is too dangerous. We plan to have an excavator come in and regrade the bad spots of land at a cost of \$2600.00. 2017 was the last time we had the pipe cleared. Root cutting alone is a temporary solution at a cost of \$30,000.00. The more permanent option is to line the 3600 feet of pipe and cut roots at a cost of \$160,000. This could be budgeted for next year. Pipe bursting is an option, but it comes with issues. Is lining good enough? The flow does improve with lining. The first thing is to get equipment down there and jet the line sometime this year. Next year we can budget for lining or whatever option is chosen to be the best solution.
- Cable Franchise Agreement** – Bally Borough's Agreement expires December 2027. We need to get a group of municipalities together to renew the cable franchise agreement. Wendy would like to be able to join this group. Flat individual fees are \$7,900.00, but could be as low as \$6,715.00 with a group. Annually we receive about \$19,000.00 from the cable franchise agreement. Motion for Borough Manger to join Berks County Cable Consortium made by Michael Moll, seconded by Paul Gehringer. All Ayes.
- Non-Land development agreement with developer** – Tim Curley is reviewing.

- g. Zoning violations for storage unit business** – Wendy sent the Zoning officer to inspect the storage area on Front St. They are up and operating and have not met Ordinance requirements. Waiting on the zoning officer to get back to us.

QUESTIONS FROM RESIDENTS – No questions or comments

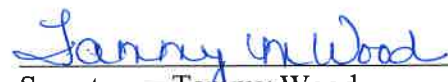
COMMENTS FROM COUNCIL MEMBERS:

No questions from council

ADJOURNMENT- A motion to adjourn the meeting was made by Joshua Sloan, seconded by Paul Gehringer at 8:37 pm. All Ayes. Executive session to follow concerning an employment matter.



President - Glenn Mutter



Secretary – Tammy Wood