

**BALLY BOROUGH COUNCIL  
MINUTES OF THE MARCH 7, 2023 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, Michael Bauman, Michael Moll, Matthew Gehman, Paul Gehringer, Joshua Sloan and Joel Pilgert.

Also present: Solicitor, R. Tim Curley; Mayor, David Schott; Borough Manager, Wendy Mutter; Borough Secretary, Tammy Wood and Public Works Superintendent, Nathan Heffner. There was one reporter and 1 resident 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 broadcast via Zoom and recorded for minute taking purposes.

**COMMENTS AND SUGGESTIONS FROM RESIDENTS**—Brett Beitler was in to ask permission for the annual Just Farm Kids Tractor Show, scheduled to be on Saturday, May 13<sup>th</sup> from 10am – 3pm with a rain date of May 14<sup>th</sup>. There will be a live band, food, vendors, thresher machine and kids' activities with about 100 tractors. Bally Block is allowing parking again this year. Glenn Mutter will talk to the Fire Co. about use of their parking lot. The police will be on duty. Wendy Mutter requested to use the Public Works garage to sell food with the funds to go towards playground equipment. Council is ok with that. Just Farm Kids is also hosting an Easter Egg hunt on April 2<sup>nd</sup> 1pm at Bally Block. There will be an adult egg hunt after the kids egg hunt.

**CONSENT AGENDA**

- a. Minutes of March 7, 2023 Council Meeting-A motion was made by Michael Moll, seconded by Paul Gehringer, to approve the minutes. All Ayes.
- b. Approval & Affirmation of Bills Presented-A motion was made by Matthew Gehman, seconded by Joshua Sloan, to approve the bills of March 2023. All Ayes.

**PRESIDING OFFICER REPORT:** No report.

**COMMITTEE REPORTS:**

**Health, Safety, & Welfare**

**Fire report**-Total fire calls for February 2023 were 35; year-to-date is 77. The 2023 fund drive went out to all 5 municipalities. There will be a group of firefighters attending a Fire Fighting 2 class in March at New Hanover FD.

**Police report**- No report

**Bally Ambulance**-No report

**Planning Commission**- Did not meet.

**Municipal Authority**-Did not meet. Next meeting is April 11th.

## **Zoning Hearing Board** –Did not meet.

**BARDS Committee** –The potpie pre-order date was extended as BARDS was 50 orders short of their goal. 31 quarts ordered to donate to Multi-Service. BARDS will be selling hamburgers and hotdogs at the pool snack stand for the Tractor Show. Joshua Sloan is looking for a corporate sponsor for a bubble festival in the park. The concrete pad under the pavilion at the pool is ready to be coordinated with Nate. The handicapped accessible porta-potty was placed by the Lions Club shed, for use by in the park. The Lions Club Easter Egg Hunt is back this year as an actual hunt on Saturday, April 8<sup>th</sup>. The Hometown Hero's banner is back. The order form can be picked up at the Borough Hall office. The Scott Moll Scholarship Fund from the Lions Club deadline is April 30th. Any student interested in the Scholarship Fund should contact Boyertown High School counselor to apply. The cow chip bingo at Jakes Flea Market is the main fundraiser for this fund.

**WWTP Report-** Public Works is looking into the fire hydrants in the Borough. There are currently 3 different types of hydrants with some that are in need of repair. A new hydrant costs about \$5,000.00 and the tool to fix one brand is about \$5,000.00. Further investigation into the tool will be needed. It was suggested by Council to possibly borrow the tool from a neighboring township or to swap work for the day. The stormwater project on Chestnut St is in the works right now. Nate inquired about yard sale/advertisement signs that are put on poles in the Borough and not taken down. Council agreed that public works should take them down and discard after 30 days.

## **NEW BUSINESS:**

- **Dispense with Council meetings on zoom** –Matthew Gehman made a motion to dispense with airing of Council meetings on zoom. Michael Moll seconded the motion. All Ayes.
- **Resolution 2023-3 Berks County UCC Board of Appeals Intergovernmental Agreement**– The appeals board is for when someone disagrees with code enforcement decisions for a building permit. We would like to continue using the Berks Co. Appeals Board as opposed to setting up our own. There is a \$300.00 annual fee to renew. Michael Moll made the motion to approve Resolution 2023-3. Paul Gehringer seconded the motion. All Ayes.
- **Resolution 2023-4 Berks County TCC Executive Committee Delegates** –Each school district in the county appoints a delegate and a backup delegate to the County to represent the municipalities in the School District. Motion to approve Resolution 2023-4 Berks County TCC Executive Committee Delegates, with correction to Rich Sichler's name was made by Matthew Gehman, Joel Pilgert seconded the motion. All Ayes.
- **John Membrino Subdivision Letter to Berks County Planning** - Plans were signed and taken for recording, but too much time had passed since council approval. This required a letter stating council approved the plans with final review by Borough Engineers, and that all requirements of the review were met. Paul Gehringer made the motion to approve the letter to Berks County Planning Commission. Michael Moll seconded that. All Ayes.
- **Appointment of George Naylor to Planning Commission open seat** – George has been a resident of Bally Borough for more than 1 year, and is eligible. George was present at the meeting and introduced himself. Joshua Sloan made the motion to appoint George Naylor to the open seat of the Planning Commission. Michael Moll seconded that. All Ayes.

## **OLD BUSINESS:**

- **Vacating of N 5<sup>th</sup> Street Ordinance 305-** The Ordinance was advertised and letters sent to abutting property owners. A motion to adopt Ordinance 305 vacating a section of N 5<sup>th</sup> Street was made by Matthew Gehman, seconded by Paul Gehringer. All Ayes.
- **Vacating of N 4<sup>th</sup> Street Ordinance 304-** The Ordinance was advertised and letters sent to abutting property owners. A motion to adopt Ordinance 304 to accept dedication of a portion of

N 4<sup>th</sup> Street to the Borough of Bally was made by Joshua Sloan. Seconded by Matthew Gehman. All Ayes.

**SOLICITOR'S REPORT**—No report.

**MAYOR'S REPORT** —The police had 64 calls in February. 97 citations, 1 DUI arrest and 3 parking tickets. Traveled 1184 miles, using 146.10 gallons of fuel. While speaking with residents, the Mayor was questioned about construction material in the front yard of a property on N 7<sup>th</sup> St that has been there for an extended period of time. Wendy Mutter stated that she can ask Kraft Code about that, but not sure that anything can be done.

**OFFICE REPORT-**

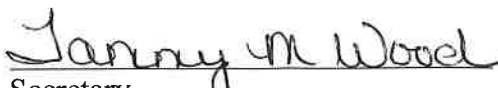
- a. Borough and Tax Collector 2022 Audits were distributed. There were no issues. The auditors did request that Borough Council get more involved in the daily operations of the Borough Office by, checking the bank statements and checks written, etc.
- b. A request was received from a Washington Twp. resident to place directional signs on Main St to their business on Crow Hill Rd. Council decided to not allow any permanent directional signs to be installed.
- c. The new water meter reading equipment has been ordered. There is no ETA at this time. It will allow data logging of individual meters showing usage by date.
- d. We received the cost estimate to DEP for new well siting and pump testing from PES engineers. Karen from SDE reviewed and requested the addition of testing for 1,4 dioxane. It was added to the estimate and returned to DEP. We are now awaiting information on when they will actually start the work.
- e. Completed 4-year audit of pension plans and Workers Compensation annual audit.
  - Required new Ordinances to replace Resolutions 2020-8 and 2020-9 reinstating the pension plans.
  - Requires deposit of 2015 reimbursement of State Aide in the amount of \$2,360 plus interest since October 2018 (waiting for total amount from PMRS).
- f. Approval to have a Borough wide, permit free yard sale weekend, on May 6<sup>th</sup> and 7<sup>th</sup>. Joshua Sloan made the motion to approve the permit free yard sale. Michael Moll seconded that. All Ayes.
- g. The manager requested permission to remove the fencing around the old tennis courts and to repurpose it at the old reservoir. Matthew Gehman made the motion to use this fencing for the area around the old reservoir in order to start filling it in. Paul Gehringer seconded that. All Ayes.
- h. The office will begin water shut-off notices in April.

**QUESTIONS FROM RESIDENTS**—None

**COMMENTS FROM COUNCIL MEMBERS** —

**ADJOURNMENT-** A motion to adjourn the meeting was made by Michael Moll, seconded by Joshua Sloan at 7:57pm. All Ayes.

  
President

  
Secretary