

**BALLY BOROUGH COUNCIL  
MINUTES OF THE MAY 3, 2022 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, Joshua Sloan, Paul Gehringer, Joel Pilgert and Matthew Gehman.

Also present: Solicitor, R. Tim Curley; Borough Manager, Wendy Mutter and Borough Secretary, Tammy Wood. Mayor, David Schott was absent. There was one reporter in attendance and 9 residents.

President Mutter announced the meeting is being broadcast via Zoom and recorded for minute taking purposes.

**COMMENTS AND SUGGESTIONS FROM RESIDENTS** – Deb Good, representing Bally Mennonite Church was here to submit their permit for the 2<sup>nd</sup> annual Music in the Park. Butter Valley Church will be involved this year also. The projected date is Saturday, September 17<sup>th</sup>, with a rain date of Saturday September 24<sup>th</sup>. Brett Beitler from “Just Farm Kids” was in to finalize anything that needed to be done for the Tractor Show on Saturday May 14<sup>th</sup>. The hours will be from 10am to 3pm; with a rain date of May 21<sup>st</sup>. At this time there are 31 vendors and 47 tractors. Resident Mary Leister spoke about her concern of the retention pond on Front St. on GBI property, that seems to be stagnant and will attract mosquitos. Borough Manager, Wendy Mutter stated that a re-engineering of this pond is in the works with GBI engineers, with a projected start time to begin in June sometime.

**CONSENT AGENDA**

- a. Minutes of April 5, 2022 Council Meeting- Joel Pilgert stated that he was in attendance in person, not on Zoom in April. A motion was made by Paul Gehringer, seconded by Michael Moll, to approve the minutes with correction. All Ayes. Matthew Gehman abstained.
- b. Approval & Affirmation of Bills Presented- A motion was made by Matthew Gehman to approve and affirm the bills, seconded by Joel Pilgert. All Ayes.

**PRESIDING OFFICER REPORT:** No report.

**COMMITTEE REPORTS:**

**Health, Safety, & Welfare** –All officers completed their yearly update training. Officer Yeager attended a free 2-day training for traffic and drug control. Chief Ellick and Corporal Patt attended the Cody Conference. The Cody system will be replaced by a new system Pathfinder, which is a cost of \$5,000.00 and 15-20% increase in fees throughout the year. The police will be budgeting the next 2 years for this system change.

Fire calls for the month of May is 26; 165 total year-to-date. The 2022 fund drive is still active at this time. The chicken BBQ at the Bechtelsville station was a sellout of 900 chickens.

**Planning Commission** – Did not meet

**Municipal Authority** – Met April 19<sup>th</sup>. Discussion revolved around the increase of the water rate, which will be voted on by the end of summer 2022. Next meeting is July 19<sup>th</sup>.

**Zoning Hearing Board** –The GBI zoning hearing has been recessed. Per Wendy Mutter, Borough Manager, there are 2 residential properties that are applying for shed permits. The properties are in a non-conforming industrial zone, which means they have to get an exception or variance for zoning. A stormwater management plan is required, which is a cost of about \$3,000.00. Wendy stated that she does not feel that any resident should have to do this to put a shed in their backyard. It is the writing of the Stormwater Management Ordinance. Wendy is asking that council waive the requirement of a Stormwater Management Plan for residents at 2510 and 2514 Old Rt 100 at this time. Per Borough Solicitor Tim Curley, the revision should be limited to the current landowners, limited to a particular size of shed and limited to within the impervious limits otherwise committed by the building codes and ordinances according to set-backs, etc. Tim will draft a waiver with these conditions stated. Motion to waive Stormwater ordinance requirements for a shed on both addresses at 2510 and 2514 Old Rt 100. Joshua Sloan made the motion to approve this waiver, Michael Moll seconded the motion. All Ayes.

**BARDS Committee** – Joshua stated that BARDS will be selling food at the pool snack shack for the Tractor Show on May 14<sup>th</sup>. The yard/bake sale will be held in the pool parking lot on Saturday, May 28<sup>th</sup>. BARDS gave permission to move money from the BARDS account to the tree fund if any further monies are due for the tree project. BARDS is anxious to see the pool robot in action in the pool!

**WWTP Report** –Sewer project #3 has been getting pushed back, due to the lack of communication to Borough residents regarding notification of driveways and vehicles being blocked. This is now worked out and work should start Monday, May 09, 2022. DEP was out to inspect our drinking water system and found no violations. There were some recommendations that should be ready for the 3-year inspection in 2025. Nate stated he is ready to order the catch basins for the stormwater project between Cherry and Chestnut Streets. He is also ready to order the pipe. The pool is drained down. There are some spots that need some crack filling and touch up paint, basically minor repairs needed. The garage deadline with Rebcor is over. Borough Solicitor, Tim Curley stated that Rebcor has been advised specifically about the breach of contract and the actions the Borough will be taking. Nate stated there were 3 cows wandering around the plant grounds (the cows are now home)! Street sweeping will begin when the attachment arrives, then curbs will be painted. Public works will be working with a local excavator to do some bigger street patching this summer.

#### **NEW BUSINESS:**

- Appoint Mike Mutter to planning commission. Motion made by Michael Moll to appoint Mike Mutter to planning commission. Michael Bauman seconded that motion. All Ayes.
- Local Share Account Category 4 Grant Application for curbs and sidewalks. This is \$0 match grant, with a \$100.00 application fee and the cost to write the grant. This would be used for new sidewalks where needed and curbing in need of repair or replacement. This grant is geared to be for the quality of life of residents. Joshua Sloan asked if there was an average cost for writing of this grant. Wendy Mutter stated she was not sure. Motion to apply for Local Share Account Category 4 grant for curbs and sidewalk made by Joshua Sloan and seconded by Matthew Gehman. All Ayes. Motion to approve Resolution 2022-2 for the above grant was made by Joshua Sloan and Paul Gehringer seconded the motion. All Ayes.

#### **OLD BUSINESS:**

- No report.

**SOLICITOR'S REPORT** – The Solicitor requests an executive session for legal issues.

**MAYOR'S REPORT** – Police calls-74 in the month of April. Police used a total of 121.6 gallons of fuel, traveling 982 miles with both vehicles. 98 traffic citations issued, second month in a row over 90 citations issued.

**OFFICE REPORT-** Water/sewer shut off notices were issued. Today was the deadline and we have no shut-offs at this time. We are in need of a part-time seasonal employee for public works for the summer. Motion to approve hiring a part-time seasonal public works employee at a rate of between \$10.00 to \$15.00/hr. Matthew Gehman made the motion to hire seasonal help. Michael Moll seconded. All Ayes.

**QUESTIONS FROM RESIDENTS** – Resident questioned if the evergreen trees on GBI property are coming down. Wendy stated it is part of a zoning hearing variance request. They will need to put up a fence and extend the fence line. Borough Solicitor, Tim stated it is unclear what they may do at this time and that this is considered a special exception, not a variance, as they are not trying to show hardship.

**COMMENTS FROM COUNCIL MEMBERS** – Joshua Sloan has a public service announcement of what to do with a dead animal on the road. Public works employees will take care of dead animals on Borough roads only. Please call Borough Hall office for any dead animals at 610-845-2351.

**ADJOURNMENT-** A motion to adjourn the meeting was made by Paul Gehringer, seconded by Michael Moll at 7:51pm. There was an Executive Session held after the meeting for legal issues.

  
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President

  
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Secretary