

**BALLY BOROUGH COUNCIL
MINUTES OF THE MAY 7 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 Matthew Gehman were all present. Joel Pilgert was absent.

Also present: Solicitor, R. Tim Curley; Borough Manager, Wendy Mutter; Secretary, Tammy Wood; Public Works Superintendent, Nathan Heffner. Mayor, David Schott was absent. There were 3 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 –

- Graham Anderson from Most Blessed Sacrament Church spoke to Council about a bathroom addition on the first floor of about 126 sq ft. It was determined by Council that a letter of waiver of land development be signed by the Gehringer family. A motion was made by Joshua Sloan to approve a de minimis addition of impervious surface and waiver of a land use requirement, for the addition of 126 sq ft to the building coverage adjacent to MBS Church, contingent to the waiver from the Gehringer family of any objections. Michael Moll seconded that motion. Paul Gehringer abstained from the vote. All others Ayes
- Rayne Reitnauer introduced herself as she is running as State Representative of the 130th and is here to learn about the concerns of the community.
- Rich Mingey inquired about the intergovernmental agreement. There was a sewer capacity request with SDE since last July. Rich Mingey wants to get the ball going on conveyance down through Borough lines. Mr. Mingey is trying to directly connect in to an existing Borough capacity sewer line. Wendy asked if he is looking for a letter from the Borough. Mr. Mingey said he has been waiting since last July for a Planning Module exemption for 48 units.

CONSENT AGENDA

- a. Minutes of April 2, 2024 Council Meeting- A motion was made by Paul Gehringer, seconded by Matthew Gehman, to approve the minutes. All others Ayes.
- b. Approval & Affirmation of Bills Presented- A motion was made by Matthew Gehman, seconded by Michael Moll, to approve the bills. All Ayes.

PRESIDING OFFICER REPORT - No report

COMMITTEE REPORTS:

Health, Safety, & Welfare:

Police report- Total calls for the month of April was 68 with a total year to date of 207. There were 44 traffic citations. Total miles traveled was 1344 using 239 gallons of fuel. Unit 1 (2016 Explorer) was involved in a minor accident involving a street sign. No injuries were reported and the sign was

reinstalled. The car will be repaired using Borough insurance, with a \$500.00 deductible. All officers attended and completed DUI Case law updates and Distracted Drivers updates.

Fire report- There were a total of 11 calls in Bally for the month of April, with a total of 149 for the year for all municipalities. The first quarter of the year was filled with structure fires, brush fires, medical assists and numerous calls for trees and wires down. The new location is coming along and the land on Rt 100 that was previously purchased is up for sale.

Bally Ambulance – Bally had a total of 8 calls in April 2024. Total for the month of April is 120. Mike Groff stated they will get their new Ambulance that has been on order in 2025. Mike Groff has found a remount in Langhorne with 6 miles on it at a cost of \$180,000. This could be used for an ambulance in the fleet already, that seems to need repair every time it is driven. This could save about \$80,000 in place of a new purchase.

Planning Commission – Will meet May 20th for Camp Camino sewer

Municipal Authority- Met April 16th. Will meet again July 16th.

Zoning Hearing Board –Requested appeal hearing, not yet scheduled. This comes from a zoning violation that was recently issued located at Front St and Old 100.

BARDS Committee – Weather permitting the community yard sale is scheduled for May 17, 18 and 19th. BARDS will have a car wash and bake sale in the pool parking lot on Saturday May 18th. BARDS was able to acquire some tables for the pool snack area. The aquatic club that these were purchased from also gave some umbrellas. Seal coating has been completed. If the patch at the pool needs to be sealed in the spring, they will come back to seal that area. It was decided to not seal that as it needs time to set. Story Walk in the Park is set to come back in the Spring. Joshua Sloan asked Public Works to install the signs, in a way that is most beneficial to them to not interfere with the mowing and care of the grassy areas. Nate Heffner agreed to install the signs. BARDS does have commercial shade cloth if they would like to use it for shade for the playground areas in the park.

WWTP Report- Sewer-The oxidation ditch gear box had lost all of its oil early in the month. The seals were replaced, along with all the bearings reworked and installed. There were high flows in March along with some in April. Sump pumps may be an issue. The digester has been stripped and is ready for piping to be installed. The digester project is moving along very slowly. There was a change order for the project asking for an additional 30 days. Public Works is filling potholes. The basketball backboards and nets have been installed. The park pavilions are ready for the season with added top soil, painted posts and grills installed. The volleyball net needs to be put up yet. Glenn asked what is going on in between the old and new basketball court. Nate replied that there will be a stormwater pipe installed then grass will be planted. Chestnut St and the pool lot is done with paving. Topsoil is needed yet in some areas. Matthew Gehman asked Wendy if we can check sump pumps when we go in to change water meters. Wendy said it is something that is done if it is in plain view. It is illegal to discharge sump pump water into the sewer system. This is a problem that should be addressed as the Borough has put millions of dollars in to upgrade our sewer system.

NEW BUSINESS:

- **PMRS Non-Uniform Pension Plan Amendment** – Every year in December, Council has the option to waive the employee contributions to the pension plan because state aid covers our MMO. We now have to pass an Ordinance each year for the Plan Amendment. We then need the authority to have Glenn sign and to advertise for each plan. Motion for Glenn Mutter to sign the Non-Uniform Plan Amendment made by Joshua Sloan and seconded by Paul Gehringer. All

Ayes. Motion to advertise Ordinance 308 Amending Non-Uniform Pension Plan for 2024 made by Matthew Gehman and seconded by Michael Moll. All Ayes.

- **PMRS Police Pension Plan Amendment** – Motion for Glenn Mutter to sign the Police Plan Amendment made by Joshua Sloan and seconded by Michael Bauman. All Ayes. Motion to advertise Ordinance 309 Amending the Police Pension Plan for 2024 made by Paul Gehringer and seconded by Matthew Gehman. All Ayes.
- **Digester Project Change Order #2 to Blooming Glen extending time \$0** – Motion to approve Change Order #2 for an additional 30 days made by Joshua Sloan. Michael Bauman seconded that. All Ayes.
- **Digester Project Blooming Glen Payment Application #2 amount \$41,122.80** – Wendy wanted to make clear before the vote that we have had some issues with Blooming Glen and this payment application does not include any of the items we are fighting with them about. The remaining balance includes the change order that we passed previously and that does involve one of the items we are fighting about. \$135,665.20 is the remaining balance after this change order. The items in this payment application have been completed. Matthew Gehman made the motion to approve Application #2 in the amount of \$41,122.80. Michael Moll seconded that. All Ayes.
- **Fire/EMS Real Estate Tax Discussion** – Tim Curley stated he has started the process for the foundation required for Council to consider the tax and advertising process. Health, Safety and Welfare did have a special meeting on this. The Committee felt that the General fund should continue to pay dispatching fees. Workers Comp would come out of the tax we collect for them, along with the tax collector fees. .5 mil for each (Fire and EMS) is what the committee felt to be fair. Joshua Sloan asked if there was any feedback from residents. Wendy stated she spoke to 2 residents and they both agreed it to be reasonable. Glenn asked Matt Bakes if he knew how much longer the response time would be from the new station to Bally and what fire apparatus would stay here in Bally. Matt stated he would verify that and get back to us with an answer.
- **Senior Center use/rental** – There have been some meetings held at the Senior Center that has not been approved by the Borough Manager. Wendy Mutter spoke with the President of the Senior Center and he stated that when Mayor Ferrizzi was in office, he allowed Park Place to utilize the Senior Center for the Homeowners Association. Solicitor is in agreement that there should be no other meetings allowed at the Senior Center. It was decided by council that no private functions should be going on at the Senior Center. It is a meeting place for seniors only.

OLD BUSINESS: None

SOLICITOR'S REPORT:

- **Washington Township water agreement/understanding** – Tim is continuing to work on this.
- **Land access agreement with James Longacre** – Mr. Longacre is co-operating with the Borough as far as Well 6.
- **Non-land Development review** -Tom Unger has drawn up the letter and Tim is ready to review.

MAYOR'S REPORT: No report

ENGINEER'S STATUS OF PROJECTS:

There were no questions about the Engineer status of projects.

OFFICE REPORT

- a. Swings have arrived for the playground - Public Works will have to schedule when to get them put together and installed.
- b. The Borough was not winning bidder on the playset, but did win auction for pool slide – BARDS contributed \$750.00 towards the pool slide, the total cost was \$2,050.00.
- c. N 9th St Berks Homes submitted building permits for 4 houses
- d. Possible purchase of trailer to haul equipment such as roller/skid loader – It has come to the realization of the Superintendent and Manager that it would be in the benefit of the Borough to purchase a used 14-16 foot tilt trailer. Council is in agreement to purchase a tilt trailer and Wendy will inform Council when they find one.
- e. Well 6 update – Arcadis is extremely concerned that the contamination plume will be drawn toward the proposed well 6 location. Wendy Mutter will have a meeting with DEP, the contracted engineers and Arcadis on Monday May 13th to discuss this. Wendy Mutter believes that if well 6 does not happen a quick fill valve at the reservoir will be needed in case well 4 goes down, in order to provide water to the Boroughs' customers. There does not seem to be another option for a well.
- f. There have been some donations to the pool and compliments to the pool staff for a job well done. These donors would like to see the pool stay open for the benefit of Bally Borough families.

QUESTIONS FROM RESIDENTS – No questions or comments

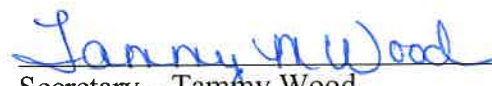
COMMENTS FROM COUNCIL MEMBERS:

Joshua Sloan asked if the lights on the poles have been fixed by Met-Ed. The office has not had any calls lately for any lights that are out.

ADJOURNMENT- A motion to adjourn the meeting was made by Matthew Gehman, seconded by Paul Gehringer at 8:13 pm. All Ayes.



President - Glenn Mutter



Secretary – Tammy Wood