

**BALLY BOROUGH COUNCIL
MINUTES OF THE OCTOBER 1, 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, Michael Bauman, Michael Moll and Joshua Sloan. The following council members were absent, Joel Pilgert and Matthew Gehman.

Also present: Solicitor, R. Tim Curley; Mayor, David Schott and Borough Manager, Wendy Mutter. There was 1 resident and 1 reporter 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: NONE

CONSENT AGENDA

- a. Minutes of August 6, 2024 Council Meeting- A motion was made by Mike Moll, seconded by Paul Gehringer to approved the minutes. All Ayes
- b. Minutes of the September 3, 2024 Council Meeting – No action was taken at this meeting due to the fact there was no quorum, therefore there was no official motion to approve.
- c. Approval & Affirmation of the August bills presented. A motion was made by Paul Gehringer, seconded by Joshua Sloan to approve the bills. All Ayes
- d. Approval & Affirmation of the September bills presented. A motion was made by Joshua Sloan, seconded by Michael Bauman to approve the bills. All Ayes

PRESIDING OFFICER REPORT - No report

COMMITTEE REPORTS:

Health, Safety, & Welfare:

Police report- The police report will be handled by the Mayor.

Fire report- EBFD reported there were a total of 31 calls for the month of September, 3 were in the Borough. Total calls year to date are 325. October is a busy month with fire prevention month and we will be visiting many schools, churches and daycares to provide demonstrations on fire prevention. There will be a rope and knots class on October 7th, monthly meetings, Halloween parades and a propane safety and plant tour on October 28th. State grant application is complete with a request to use funds to reduce debt on the new F550 attack truck expected to be completed early 2025.

Bally Ambulance – Bally had 9 calls with a total of 125 calls for the month of September.

Planning Commission – Did not meet.

Municipal Authority- Did not meet. Next meeting is October 15th.

Zoning Hearing Board –Did not meet.

BARDS Committee –The Trunk or Treat is scheduled for Saturday, October 12th with a movie in the park following at 7:00 pm.

WWTP Report- Nate Heffner provided his report to council. The digester project is done and being used. The lead service inventory report is about 90 % complete. Public Works has been working at the pool to complete some projects this fall. Joshua Sloan questioned the installation of the pool slide. It was determined the slide was not as safe as we would like and will be resold.

OLD BUSINESS:

- The Bauer residence at 413 Main Street attended the September meeting and requested a credit for 12000 gallons of sewer usage for a leaking toilet. Mike Moll made a motion, Paul Gehringer seconded the motion to allow for a credit for the sewer usage. All Ayes.
- The Haggert residence at 536 Main Street attended the September meeting and requested a credit for 54000 gallons of sewer usage due to a toilet leak. Mr. Haggert is hard of hearing and did not hear his toilet running. He has installed a leak alarm to alert him to any future problems. Joshua Sloan made a motion, seconded by Mike Moll to grant the sewer credit. All Ayes.
- Ordinance 310 Imposing a FIRE Tax on Real Property – Two versions of the Ordinance were presented to council, one with a penalty applied and one without. Someone asked who (which entity) gets the penalty. It was explained that unpaid real estate taxes go to Berks County tax claim, who takes a fee on collection and that fee would take most, if not all the penalty amount. If anything remains it will go the respective service account. A motion was made by Paul Gehringer, seconded by Mike Moll to approve the Ordinance with the penalty to be advertised. Glenn Mutter abstained, all others Ayes.
- Ordinance 311 Imposing an EMS Tax – A motion was made by Mike Moll, seconded by Mike Bauman to approve the Ordinance with the penalty to be advertised. All Ayes.
- Ordinance 312 Amending Water/Sewer Regulations Ordinance #256 to allow for legal and filing costs to be passed on to customers. The Ordinance was properly advertised. A motion was made by Joshua Sloan, seconded by Paul Gehringer to adopt the Ordinance. All Ayes.
- Payment #1 to Performance Pipeline for root cutting and lining of Outfall 1 in the amount of \$156,855.91 was presented. Nate Heffner stated the work was completed quickly and without any issues. Joshua Sloan made a motion to approve the payment, Mike Moll seconded the motion. All Ayes.
- Bally Ribbon Mills discharge permit is up for renewal. Joshua Sloan made a motion to allow the Council President to sign the permit. Paul Gehringer seconded the motion. All Ayes.
- Surveying of N 4th Street and Dogwood Street. A section of N 4th Street and Dogwood Street have not been transferred to the Borough's name. To get a new deed drawn up, a description of the parcel will be required. A surveyor will need to give measurements to have new deeds drawn up. A motion was made by Joshua Sloan, seconded by Paul Gehringer to have the Borough Manager contact a surveyor to start the process. All Ayes.
- War Memorial brick setting invoice. The Lions Club had asked the Borough to split the cost to have a contractor reset the memorial bricks in concrete. The work has been completed at a cost of \$2750. The Lions have already delivered a check for their half totaling \$1375. Mike Moll made a motion to approve the payment of the invoice, seconded by Paul Gehringer. Joshua Sloan abstained, all others Ayes.

NEW BUSINESS:

- Payment application #3 for Blooming Glen in the amount of \$135,665.20. for the digester project. This item was tabled as they have not submitted all the required paperwork to the engineers.
- The Borough Engineers (SDE) have provided an estimate of engineering costs to begin evaluating the project to relocate the outfall pipe at the sewer plant. The stream has moved and our outfall pipe needs to discharge to the center of the stream. DEP has advised us that we need to correct the location of the outfall pipe. The estimated cost of \$17,400 includes topographic survey, boundary survey, environmental review, and identification of permitting requirements, and will be included in the 2025 budget. It does not include permit applications. Mike Moll made a motion to have Mayor Schott sign the proposal. Paul Gehringer seconded the motion. All Ayes
- The Solicitor has drafted a Land Access agreement for the proposed well 6 location. The location has been approved as a potential municipal well location by DEP, but we need to have an agreement to access the private property for test well drilling. Mike Moll made a motion to have the Council President sign the agreement. Paul Gehringer seconded the motion. All Ayes.
- The Borough has received a request from Bechtelsville to update the joint zoning ordinance. Council agreed that we do not wish to make changes at this time, but would not object to signing an amendment to the Ordinance that affects Bechtelsville Borough only.

SOLICITOR'S REPORT: The Solicitor will be reviewing the real estate agreement in Executive Session.

MAYOR'S REPORT: The police had 35 incidents in the month of September, with 25 citations and 3 parking tickets. They had 387 citations year to date. They drove 751 miles and used 96.71 gallons of fuel.

ENGINEER'S STATUS OF PROJECTS:

The updated report was provided to council. Paul Gehringer questioned the LSA grant awards scheduled for September. The Borough Manager stated that Commonwealth Financing Authority met but did not announce grant awards. It is unknown when they will be awarded. Council requested the Borough Manager take action to apply for LSA grant funding for the coming year, in case we are not awarded funds. Joshua Sloan made a motion to start the 2025 application process in case we are not awarded funds this year. Mike Moll seconded the motion. All Ayes.

OFFICE REPORT

- a. The Borough Manager reported that the land owner of proposed well 6 has allowed government entities to access the land to get DEP approval on the location, clear brush, etc. Paper work has been received for the Army Corps of Engineers to perform a bog turtle study on the site. The paperwork needs to be submitted but their fax is not picking up. The application will be submitted by priority mail. Public works will need to clear some brush and trees for test well drilling. A question was posed concerning being contracted to buy the land. It was explained that this is not an agreement of sale, but merely an agreement to access the land and do test well drilling. If the site fails to meet the Borough's needs, the property will be restored and the land owner will have the option to keep the wells accessible or to have them plugged.
- b. A preliminary proposed 2025 budget was presented to council. Many items are still vague estimates. Items that are not controllable such as utilities, and requirements have notes as to what is requested and the cost. Council members were asked to review the proposed items, and contact the Borough Manager with any questions.

- c. It is time to renew the Worker's Compensation Insurance with Penn Prime. A motion was made by Mike Moll, seconded by Joshua Sloan to have the Borough Manager prepare and sign the renewal documents. All Ayes
- d. 2024 Audit Engagement letter from Barbara Akins was presented to council. The audit cost has increased 2% from last year. The pre-audit is scheduled for the second week of December and the yearly audit will be the first week of February 2025. Joshua Sloan made a motion to approve the signing of the engagement letter. Mike Bauman seconded the motion. All Ayes.

QUESTIONS FROM RESIDENTS – No questions or comments

COMMENTS FROM COUNCIL MEMBERS – None

Council adjourned at 8:08 pm to an Executive Session for a real estate issue. Council reconvened at 8:14 pm. No one stayed and Council took action on the Land Access agreement as noted above.

ADJOURNMENT- A motion to adjourn the meeting was made by Joshua Sloan, seconded by Paul Gehringer at 8:16 pm. All Ayes.

Council adjourned to a second Executive Session to discuss employee wages. They did not return to public session or take official action. Glenn Mutter and Wendy Mutter did not participate in the Executive Session.



President - Glenn Mutter



Asst. Secretary – Wendy Mutter