

**BALLY BOROUGH COUNCIL
MINUTES OF THE SEPTEMBER 6, 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, Joshua Sloan, Michael Moll, Joel Pilgert and Paul Gehringer. Matthew Gehman was absent.

Also present: Solicitor, R. Tim Curley; Borough Secretary, Tammy Wood and Mayor, David Schott. Borough Manager, Wendy Mutter arrived at 7:05. There was one reporter in attendance and 3 residents.

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

COMMENTS AND SUGGESTIONS FROM RESIDENTS – Vincent Pioli, a resident of Barto, inquired about the 16 acres of public land in the Borough of Bally, to be able to hunt on the property. President Glenn Mutter said no, due the fact of liability and another resident being given permission to hunt the land. Solicitor, Tim Curley stated “that is a legitimate concern, being that 16 acres is not that large for multiple hunters.” Tim also said that he would contact the current individual with rights to hunt the land and will be in contact with Vince. Vince stated for the record that he feels it is unfair and will be following up. Patrick Neher from Most Blessed Sacrament Church asked council for permission to hang a banner across Main St. for their Octoberfest on September 24th. Glenn Mutter stated that he does not see an issue, as long as the Lions Club and Fire Police are able to help put it up. Resident, Melissa Albitz requested that her late charge be waived due to the fact that she did not receive her 2nd quarter bill and she has never been late on payments. Manager, Wendy Mutter stated that the Ordinance would need to be updated according to how Council decides to move forward. Council agrees to waive the late fee for residents who are in good standing of on-time payments of 5 years prior and present their case in front of Council. Motion to approve waiving the late fee for Melissa Albitz made by Joshua Sloan, seconded by Michael Moll. All Ayes.

CONSENT AGENDA

- a. Minutes of August 2, 2022 Council Meeting- A motion was made by Paul Gehman, seconded by Michael Bauman, to approve the minutes. All Ayes.
- b. Approval & Affirmation of Bills Presented- A motion was made by Michael Moll to approve and affirm the bills, seconded by Joshua Sloan. All Ayes.

PRESIDING OFFICER REPORT: No report.

COMMITTEE REPORTS:

Health, Safety, & Welfare

Fire report- Fire calls for the month of August is 48; 327 total year-to-date. The Bally Firehouse BBQ fundraiser was a sellout.

Police Report- The police are still utilizing the Highway Safety Network Grant program that lasts until the end of the year. With this grant, our officers will be conducting roving DUI patrols, roaming equipment violations, moving violations through the Borough and throughout Berks County, helping other municipalities.

Bally Ambulance- The ambulance had a total of 128 calls in August, with 15 in Bally. The Bally Ambulance has been taking on many extra calls outside of their area, due to staffing issues in other areas. They are still trying to come up with a plan to help with this.

Planning Commission- Did not meet

Municipal Authority- Did not meet.

Zoning Hearing Board – Did not meet.

BARDS Committee – Joshua stated the Trunk-or-Treat is moving forward with the licensing for the movie accepted. Trunk-or-Treat will be Saturday, October 15. The dog swim is on Saturday, September 10th. There will be a bake sale in the morning and 2 vendors that are dog specific at the dog swim.

WWTP Report – Nate went back in his records to see how some of the “dry” years have compared to this “dry” year, with the Sewer Project being mostly complete. He was able to see that Sewer Project #3 is most definitely working. We replaced the flow meter that was not working correctly and the new flow meter is not working. It seems to be consistent with quality of new products lately. Nate says he believes Mobile Dredging is done with the project. Wendy stated she talked with Nick at SDE and confirmed that he would make sure the restoration on S. Church and at GBI is done correctly. Nate met with SDE to discuss the digester tank that is out of service. It was decided the 3 sections inside one tank are crumbling and those sections can be removed to make 1 whole tank. We do have 2 digesters, so it is possible to have one down. **Public Works-** 2 street signs were hit on Main and Church Sts., then hit again 18 days later. We did some road patches this month and will be doing more next month. Drinking water- lead and copper tests are due this month. We have not been able to get to the catch basin and sink hole at 5th and Chestnut yet. The street sweeper attachment is not working correctly, so the streets have not been cleaned as of yet. Glenn Mutter inquired about warranty and Nate believes it is under warranty since it has not even been used yet. The PW garage doors are all repaired. The gutter repair is the only thing left to repair on the new garage. Our new full-time public works employee started today, so we are finally fully staffed. We will be conducting safety meetings weekly, since we have a young new employee.

NEW BUSINESS:

- **Payment Application #3 for sewer project #3 to Mobile Dredging and Video Pipe, Inc. in the amount of \$109,530.87.** Glenn Mutter asked if this was approved by Tom at SDE and Wendy stated it was approved. Michael Moll made the motion to approve payment in the amount of \$109,530.87 to Mobile Dredging and Video Pipe, Inc. Joshua Sloan seconded that. All Ayes.
- **Police CBA-** All negotiations were accepted, with the exception of 1 item which will be addressed in an addendum at a future time. This is a 3 year contract from 2023 to 2025. Motion for the Council President and Mayor to sign the CBA made by Paul Gehringer, seconded by Joshua Sloan. All Ayes.
- **Approval to return remaining escrow to Butter Valley Church in the amount of \$18,951.87-** After the Borough billed for labor, the amount of escrow to be refunded is \$18,951.87. Michael Moll made the motion to approve Butter Valley to receive their escrow. Joshua Sloan seconded that. All Ayes.
- **Dedication of N 4th Street-** A portion of N 4th from just past the pool up to Dogwood St. was never dedicated to the Borough. The previous solicitor was having a problem contacting the owner. Our Solicitor now, Tim Curley will have to contact the present owner and get this in the Borough's name and pay the back taxes on it. The road used to stop at the pool until Park Place was built and it was never handed over to the Borough.

- **Ordinance #302 for water/sewer regulations and fees to go to advertising-** Ordinance 302 approved to go to advertising with additional wording on late fees. Residents will be required to put in writing to the Borough office as to why it should be waived, then come to the next council meeting to request the fee be dropped. Council will have final say. Motion to approve new wording in Ordinance #302 for waiving late fee once for residents made by Joshua Sloan. Michael Bauman seconded that. All Ayes.

OLD BUSINESS:

- **Vacating of N 5th Street update** – Per Tim Curley, he will have the resolution ready for the October council meeting.
- **Tree ordinance reviewed** – Tabled

SOLICITOR'S REPORT – The Solicitor requests an executive session for legal issues after council meeting. Tim inquired if GBI has been maintaining the swale and Wendy Mutter said they have not.

MAYOR'S REPORT – Police calls-81 in the month of August, total for the year is 676. Police used a total of 204 gallons of fuel, traveling a total of 1827 miles with both vehicles. There were 96 traffic citations, 1 drug related arrest, 4 DUI arrests and 2 non-traffic citations. Both vehicles are running good at this time.

OFFICE REPORT- Borough Manager, Wendy Mutter received an email from code enforcement about finding potential and actual violations on a Main St. property. Wendy Mutter asked council if Kraft Code Services should get involved. Michael Moll offered to speak to him first. Wendy received a quote for a new phone system that is very much needed. What we have now is very old and outdated. Glenn Mutter stated that we should put it in next year's budget. A new roof is needed at both ends of Borough Hall/Senior Center. The Senior Center should have a new air conditioner and heater combination unit. It has been needing repairs throughout the past year. The MMO for police and non-uniform pension plans was presented to Council. September 27th has been the chosen date for the finance committee to go over the 2023 budget. Lions Club asked for a directional sign to be put at the pool entrance as people are having a hard time finding it. Council agreed with that. The pool has about 10 re-occurring spots of plaster that comes loose. Wendy contacted 2 people to come out to quote on a professional patch on our pool. Wendy is asking for approval to go with the lowest bidder. Motion to approve pool repairs not to exceed \$11,300.00 made by Michael Moll, seconded by Paul Gehringer. All Ayes. Trench boxes for sewer lateral replacement is needed. Motion to approve the purchase of trench boxes at a cost not to exceed \$15,000.00 from the lowest responsible bid made by Michael Moll. Paul Gehringer seconded that. All Ayes. Wendy asked permission to use the public works pick-up for Tammy and herself to participate in the Halloween Trunk-or-Treat and to purchase candy. Council approved that. The police and the pool are also participating. The web page is almost ready to go live. The Mayor and Joel Pilgert chose to have an email with our new system. Nate is having the door guy from the garage look at the lab at the waste treatment plant for some new doors and windows that have been broken and/or rusted for quite some time now. A new gate is also needed at the plant, as there have been continual problems with that for about 10 years. Nate found cypress for our contact tanks. There was a request for a fire company meeting. Joshua, Glenn and Michael Moll agreed on Tuesday, September 20th at 7pm. SDE requested to be released from the CAP from DEP. They have applied for the re-rate in order to be released.

QUESTIONS FROM RESIDENTS – No residents.

COMMENTS FROM COUNCIL MEMBERS – Joshua Sloan inquired about First Responder Day. The Mayor stated that he still needs to coordinate that and will get back to Joshua.

ADJOURNMENT- A motion to adjourn the meeting was made by Joshua Sloan, seconded by Michael Moll at 9:00pm. There was an Executive Session held after the meeting for legal issues.

A handwritten signature in blue ink, appearing to read "L.H. Moll", written over a horizontal line.

President

A handwritten signature in black ink, appearing to read "Janny M. Wood", written over a horizontal line.

Secretary