

A regular meeting of the Kutztown Borough Council was called to order at 7:33 p.m. in the Kutztown Fire Company by the President, Mrs. Jan M. Crooker, with other members of Borough Council present: Mr. Malcolm A. Eidle, Mr. Archie L. Follweiler, Jr., Mr. Carl W. Mantz, Mr. Edwin K. Seyler, and the Mayor, Mr. Gennaro A. Marino. Councilman James W. Schwoyer was absent. Mr. Keith Mooney, Borough Solicitor; Mr. Dale Kratzer, representing the Borough's planning and water/wastewater engineering firm of Spotts, Stevens, & McCoy, Inc.; Mr. Jaymes Vettraino, Borough Manager/Treasurer; Mr. Bruce Follweiler, Superintendent of Electric and Telecom; Mr. Theodore R. Cole, Chief of Police; Mr. Todd Meltsch, Director of Construction and Property Inspection; Mr. Frank P. Caruso, Director of Information Technology; Mrs. Gina M. Wiand, Director of Public Relations/Assistant Borough Secretary; Mr. Russell Samilo, Director of Finance/Assistant Treasurer; Residents Kenneth Kern, Andrew Arnold, Brendan Strasser, Bev Genetti, Robert and Rose Stroker, Shirley Sacks, Arlene Wiltrout, Darryl Wiltrout, Erma Bond, Lena Bond, James Reistroffer, Mark Gangewere, Sandy Green, Keith Wuchter, Martin Smith, Robert and Joan Gangewere, Thomas Luckenbill, Tracy Rich, Tom Rich, Steven Morris, Bryan Mantz, Cindy Mantz, Greg Rarick, Valerie Miller, Lucy Miller, Melissa Miller, Pearl Schaeffer, Glenn Fegely; David Lahue, representing Utility One Source; Steve Dragon, representing Faulkner GMC; Mr. Steve DeLucas, reporter for the Reading Eagle/Reading Times; and Mr. Dan Roman, reporter for The Kutztown Area PATRIOT were also present.

President Crooker thanked the Fire Company for the use of the facility.

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Brendan Strasser and Craig Koller gave a presentation on the history of Main Street lighting.

Jaymes Vettraino gave a presentation outlining the 2006 Hometown Streets grant project for the installation of pedestrian-friendly lights on Main Street, including the following information:

- Improve Safety
- Improve Functionality and Aesthetics
- Rich History of Main Street Streetlights
- Cobra Head Streetlights (pictures)
- Proposed Pedestrian Friendly Streetlights (pictures)
- Planned Design (pictures)
- Solder-course Brick Path (pictures)
- Commitment to Main Street
- Foster Economic Development
- Funding and Construction
- Broad Support for the Project

President Crooker asked if there was anyone who wished to address Council before proceeding with the agenda.

Mark Gangewere commented positively on the streetlight project. He also announced that there would be a Neighborhood Watch meeting at the Kutztown Municipal Building on July 31 at 7:00 p.m.

Greg Rarick asked what the Borough would do with the old streetlights. Mr. Vettraino responded that the Borough would likely retain several of the old lights to use as back-ups and/or replacements in other parts of the Borough. Mr. Rarick also asked if the lights could be placed somewhere lighting is sparse. President Crooker said that is a possibility, but that it should be brought to the attention of the Public Works Committee.

Mr. Rarick commented that the part of the Borough from the railroad tracks up to the top of West Main Street (near Kutztown University) gets more attention than the east part of Main Street and the park. Mr. Vettraiino responded that the Borough’s grant application originally included East Main Street, but after PennDOT review, it was determined that the east part of Main Street did not meet the grant criteria.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To approve the following Consent Agenda: review and accept the Minutes of the May 24, 2005 and June 21, 2005, Council Meetings; review and accept the Borough Code Office Report for June, 2005; review and accept the Borough Code Office Report of Quarterly Comparison of Fees for the Second Quarter of 2004 and 2005; take action to hire Annabelle R. Fink and Calvin Hoch as seasonal Community Service Officer II's (CSO II), conditional upon waiving the high school diploma and/or G.E.D. requirement in the CSO II position description for the reason that both Ms. Fink and Mr. Hoch have served the community through their volunteer services as fire police at many events in Kutztown; take action to restructure the Kutztown Dolphin Swim Team Coaching staff and pay them as follows: Head Coach: Edward Keglovits, III - \$2,000.00 ; Assistant Coach: Dan Pfof - \$750.00 and Assistant Coach: Bradley Roth - \$250.00; approve the sewer credit in the amount of \$322.50 for Donald Bieber, 251 East Main Street; and to ratify approval for the payment of bills and necessary transfers of funds which have been provided to Borough Council as summarized below:

General Fund	\$166,265.98
Refuse and Recycling Fund	\$22,689.55
Water Fund	\$73,722.44
Electric Fund	\$359,656.33
Sewer Fund	\$37,224.99
Telecommunications Fund	\$40,878.23

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Insurance Reserve Escrow Fund

\$53,067.29

Passed by unanimous vote.

Under Borough Planning Commission, a motion was made by Mr. Seyler, seconded by Mr. Mantz, Resolved, To intervene on the Zoning Appeal for 245 East Walnut Street and to send representation to the Zoning Hearing. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mantz, Resolved, To approve the final plan of the Hilltop Subdivision – Section II project. Passed by unanimous vote.

Under Public Relations Committee, a motion was made by Mr. Seyler, seconded by Mr. Follweiler, Resolved, To adopt the following Resolution:

## RESOLUTION NO. 20-2005

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING CH. 12 AND CH. 135 OF SECTION A231-1 OF CHAPTER A231, "FEES," OF THE CODE OF THE BOROUGH OF KUTZTOWN, TO ESTABLISH APPEAL FEES IN ACCORDANCE WITH CHAPTER 12, ENTITLED "APPEALS BOARD," OF THE CODE OF THE BOROUGH OF KUTZTOWN FOR HEARINGS REQUESTED BEFORE THE CODE APPEALS BOARD AND HOUSING LICENSE APPEALS BOARD OF THE BOROUGH OF KUTZTOWN AND TO ESTABLISH CERTAIN FEES PURSUANT TO CHAPTER 135, ENTITLED "HOUSING STANDARDS", OF THE CODE OF THE BOROUGH OF KUTZTOWN AND TO ADOPT FORMS OF APPLICATION FOR HEARING, AN APPLICATION FOR LICENSE, FORMS OF NOTICE OF VIOLATIONS AND OTHER FORMS, IN ACCORDANCE WITH THE AFORESAID CHAPTER 12 AND CHAPTER 135 OF THE CODE OF THE BOROUGH OF KUTZTOWN.

WHEREAS, the Council of the Borough of Kutztown has, by its Ordinance No. 16-2005, duly enacted and ordained an amended and restated Chapter 12 of the Code of the Borough of Kutztown, entitled "Appeals Boards", pursuant to which a Code Appeals

Board and a Housing License Appeals Board will each hear certain appeals and requests for modification and waiver with respect to certain chapters of the Code of the Borough of Kutztown; and

WHEREAS, the Council of the Borough of Kutztown desires to, by this Resolution, adopt an Appeals Fees to be paid by parties requesting a hearing before said Appeals Boards and to adopt and approve the form of hearing application to be filed by any such party and certain other related forms; and

WHEREAS, the Council of the Borough of Kutztown has, by its Ordinance No. 15-2005, duly enacted and ordained an amended and restated Chapter 135 of the Code of the Borough of Kutztown, entitled "Housing Standards"; and

WHEREAS, the Council of the Borough of Kutztown desires, by this Resolution, to adopt certain fees and a form of application and other forms to be utilized by the Borough of Kutztown in the administration of said Chapter 135.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kutztown, Berks County, and it is hereby adopted by the authority of the same, as follows:

1. Section A231-1 of Chapter A231 of the Appendix to the Code of the Borough of Kutztown is hereby amended so as to amend and restate in its entirety the portion thereof entitled "Ch. 12, Code Appeals Board", so as to henceforth read as follows:

Ch. 12, Appeals Boards  
 Article I Code Appeals Board  
 § 12.8A. Appeals, hearings and procedure.

The Appeal Fee for an appeal to or request for hearing before the Code Appeals Board shall be the sum of Two Hundred and 00/100 Dollars (\$200.00). An Application for Hearing to the Code Appeals Board shall be accompanied by the above noted Appeal Fee. An additional fee in the amount of One Hundred Seventy-Five Dollars (\$175.00) shall be charged the appellant for the scheduling of any special hearing on a date other than the regularly scheduled monthly meeting dates of the Code Appeals Board, in order to reimburse the Borough for additional advertising and legal costs. No such special hearing shall be scheduled and advertised until the fee is received. Upon the payment by the Borough of all allowable costs associated with the appeal, any unused portion of such fees shall be returned to the appellant. In the event that the allowable costs exceed the amount of such fees, the appellant shall be billed for such costs, and in the absence of payment of the excess allowable costs by the appellant, such excess allowable costs may be collected by the Borough from the appellant in the manner provided by law.

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## Article II Housing License Appeals Board § 12.28A. Appeals, hearings and procedure.

The Appeal Fee for an appeal to or request for hearing before the Housing License Appeals Board shall be the sum of Two Hundred and 00/100 Dollars (\$200.00). An Application for Hearing to the Housing License Appeals Board shall be accompanied by the above noted Appeal Fee. An additional fee in the amount of One Hundred Seventy-Five Dollars (\$175.00) shall be charged the appellant for the scheduling of any special hearing on a date other than the regularly scheduled monthly meeting dates of the Housing License Appeals Board, in order to reimburse the Borough for additional advertising and legal costs. No such special hearing shall be scheduled and advertised until the fee is received. Upon the payment by the Borough of all allowable costs associated with the appeal, any unused portion of such fees shall be returned to the appellant. In the event that the allowable costs exceed the amount of such fees, the appellant shall be billed for such costs, and in the absence of payment of the excess allowable costs by the appellant, such excess allowable costs may be collected by the Borough from the appellant in the manner provided by law.

2. Section A231-1 of Chapter A231 of the Appendix to the Code of the Borough of Kutztown is hereby amended so as to amend and restate in its entirety the portion thereof entitled "Ch. 135, Housing Standards", so as to henceforth read as follows:

### Ch. 135, Housing Standards

#### § 135-4.A.(1), annual license for lease for occupancy

Annual license fees in connection with the lease for occupancy of the following living units shall be as follows:

Single let dwelling, apartment or efficiency apartment	\$28.00
Each let room in a boardinghouse	\$22.00
Rooming House	
Per unit	\$28.00
Per sleeping room within unit	\$22.00
§ 135-4.A.(3), Fee for failure to permit inspection at time agreed upon in advance	\$30.00

3. The following forms of application for hearing to be filed with the Borough Code Office by any person or entity requesting hearing before said Appeals Boards and other forms necessary or desirable for the effective administration of Chapter 12 and Chapter 135 of the Code of the Borough of Kutztown are hereby adopted and approved as listed below, in the form annexed hereto, incorporated herein and marked respectively, in accordance with the authority of those provisions of Chapter 12 and Chapter 135 of the Code of the Borough of Kutztown, as set forth below.

<u>Form No.</u>	<u>Description</u>	<u>Authority (Kutztown Code §)</u>
<u>Chapter 135</u>		
1.	Housing License Application	135-3 and 135-6.A., B., & C.
2.	Housing Roster	135-6.A. & B.
3.	License	135-3.
4.a. and 4.b.	Notice of Violation	135-9., 135-10.C.
5.	Form letter to be sent by landlord re: DCR 1	135-6.E.(3)
6.	Form of (1) notice of need for remedial plan, (2) remedial plan and (3) approval or rejection of remedial plan	135-6.E.(4)
<u>Chapter 12</u>		
7.	Housing Appeal/Application for Hearing	12-28.A.(3)
8.	Housing Notice of Hearing	12-28.C.
9.	Housing Final Decision of Board	12-28.F., G., & H.
10.	Housing Notice of Right to Appeal	12-32
11.	Code Appeal/Application for Hearing	12-8.A.3
12.	Code Notice of Hearing	12.8.C.
13.	Code Final Decision of Board	12.8.F., G. & H.
14.	Code Notice of Right to Appeal	12-12
<u>Chapter 135</u>		
15.	Police Department DCR Form	135-9

BE IT FURTHER RESOLVED, that any and all resolutions and parts of resolutions inconsistent with this Resolution are hereby superseded and this Resolution shall remain in effect until superseded by a duly adopted Resolution of the Council of the Borough of Kutztown.

DULY ADOPTED As A RESOLUTION this 20<sup>th</sup> day of July, 2005 by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled.

Passed by unanimous vote.

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A motion was made by Mr. Seyler, seconded by Mr. Mantz, Resolved To approve a community event, similar to a sidewalk sale, to be held by the Kutztown Community Partnership on Saturday, August 27, 2005, from 10:00 a.m. to 4:00 p.m. and on Sunday, August 28, 2005, from Noon to 4:00 p.m. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mantz, Resolved To approve an outdoor concert at the "Young Ones" record shop, to be sponsored by the Kutztown Community Partnership on Saturday, August 27, 2005, from approximately Noon to 4:00 p.m., assuming that all approvals are granted from the necessary private property owners. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mantz, Resolved To appoint Craig Koller and Andrew Arnold to the Housing Appeals Board. Mr. Vettraino noted that additional members are still needed. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved To reappoint Lee Trout to the Code Appeals Board. Passed by unanimous vote.

Mr. Seyler noted that the Borough has received a \$2,000 check from Sovereign Bank to sponsor the Kutztown Day event on August 7, 2005. Mr. Vettraino recognized Councilman Schwoyer for working with the bank on this donation.

Mr. Vettraino thanked the Kutztown Optimist Club for the generous donation of time and materials to spread sand in one of the volleyball courts in the Kutztown Park.

Under Police Committee, Chief Cole submitted the Police Report for the month of June, 2005. He reported the following fines were collected:

District Justice Greth	May, 2005	\$7,404.01
Clerk of Common Pleas	May, 2005	\$504.65
Secretary's Office	June, 2005	\$2,670.00
Commonwealth of PA	Jan.-June, 2005	\$1,828.18



Under Public Works Committee, a motion was made by Mr. Follweiler, seconded by Mr. Eidle, Resolved, To approve the submission of an application to the Berks County Community Development Office for FFY06 CDBG funding for the resurfacing and select base repair of South Whiteoak Street. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Follweiler, Resolved, To enact and ordain the following Ordinance:

## ORDINANCE NO. 21-2005

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA AMENDING SECTION 212-66, SCHEDULE IX ENTITLED "STOP INTERSECTIONS" OF THE CODE OF THE BOROUGH OF KUTZTOWN, SO AS TO CHANGE THE DIRECTION OF TRAVEL AT THE STOP INTERSECTION LOCATED AT HIGHLAND AVENUE AND NORTH CEDAR STREET AND HIGHLAND AVENUE AND NORTH KEMP STREET.

Passed by unanimous vote.

A motion was made by Mr. Follweiler, seconded by Mr. Eidle, Resolved, To enact and ordain the following Ordinance:

## ORDINANCE NO. 22-2005

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA AMENDING THE CODE OF THE BOROUGH OF KUTZTOWN BY AMENDING SCHEDULE 1 OF SECTION 212-58, ENTITLED "SPEED LIMITS", SO AS TO REDUCE THE SPEED ON HIGHLAND AVENUE AND NORMAL AVENUE FROM 35 MILES PER HOUR TO 25 MILES PER HOUR.

Passed by unanimous vote.

Under Personnel Committee, an Executive Session to discuss two nonuniformed personnel matters was deferred until the end of the meeting.

A motion was made by Mr. Mantz, seconded by Mr. Eidle, Resolved, To approve the recommendation of the Information Technologies Director (ITD) that the Information

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Technologies Coordinator (ITC) is meeting the job expectations as specified in the December 6, 2004, letter from the ITD and that the ITC should be confirmed for full-time employment, and further instruct the ITD to conduct a performance evaluation on the ITC within 30 days of this action. Passed by unanimous vote.

Under Electric and Telecom Committee, a motion was made by Mr. Eidle, seconded by Mr. Follweiler, Resolved, To award the bid for furnishing a new bucket truck to 5 Star International. Passed by unanimous vote.

Mr. Eidle noted that in response to suggestions and responses from customer surveys, and requirements from networks, the Borough will be making changes to the Hometown Utilicom basic and expanded basic cable television lineup. The changes will be implemented August 1 and 2. All customers will receive a letter explaining the changes and new channel lineup card prior to the changes being made.

Under Water and Wastewater Committee, a motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To award the bid for the Electric Generator Project to J.B. Electric Corp., Minersville, PA. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To extend water and sewer service to the Legion Field Press Box in the Kutztown Park. The Borough would provide the necessary material and waive fees, and the Legion would provide the labor and perform the necessary work. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To approve Change Order No. 1 for the Tank No. 2 Painting project with I. K. Stoltzfus Service Corporation to remove Line Item 16, "Tank Painting Observer" from the contract for a \$13,000 decrease in the contract price and to increase the material cost for paint due to

federal legislation passed on January 1, 2005, at an increase in contract price of \$3,319 for an overall net decrease of \$9,681 in the contract price. Passed by unanimous vote.

Under Finance and Technology Committee, Mr. Vettraino reported that the Second Quarter Budget Performance Summary looks good and that the Borough is moving along as expected.

A motion was made by Mr. Eidle, seconded by Mr. Follweiler, Resolved, To approve a Budget modification in accordance with 53 P.S. Section 46312. The modification will provide an additional receipt of \$195,000.00 to the budget of the "06 Water Fund," specifically the increase shall be applied to General Ledger Account: 06.390 "Receipt of Debt Payment" (new account) and additional receipt of \$117,000.00 to the budget of the "08 Sewer Fund," specifically the increase shall be applied to General Ledger Account: 08.390 "Receipt of Debt Payment" (new account). The purpose of the modification is to account for the unbudgeted receipt of debt repayment from the Kutztown Municipal Authority. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To adopt the following Resolution:

## RESOLUTION NO. 21-2005

A RESOLUTION AUTHORIZING THE BOROUGH OF KUTZTOWN (HEREINAFTER REFERRED TO AS "LOCAL GOVERNMENT") TO PARTICIPATE AS A MEMBER IN THE STATE TREASURER'S INVEST PROGRAM FOR LOCAL GOVERNMENTS ("INVEST") FOR THE PURPOSE OF PURCHASING AND REDEEMING SHARES OF INVEST ("INVEST SHARES").

BE IT RESOLVED THAT:

1. This Local Government shall join with other local governments in accordance with the Intergovernmental Cooperation Law by becoming a member in INVEST and by entering into an Intergovernmental Cooperation Agreement with

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Treasury (the "Agreement"), upon such terms and conditions as are more fully set forth in the attached agreement, a signed copy of which shall be filed with the minutes of the meeting at which this ordinance/resolution is adopted.

2. The duration of the Agreement shall be for a period of three years, with automatic renewal for one year periods.

3. The Purpose of the Agreement is to permit the State Treasurer to invest the funds of this Local Government, with the objectives of safety of principal, liquidity, and high yield consistent with sound investment strategy.

4. State Treasurer shall serve as the investment manager under the terms of the Agreement.

5. This Local Government is permitted to purchase and redeem shares that in turn are pooled with other local government shares to acquire and sell certain investment securities, at a rate of \$1.00 per share.

6. Any one of the following individuals shall be authorized to make deposits and withdrawals, establish accounts, and to perform such other duties as are necessary or appropriate for participation as an INVEST member:

\_\_\_\_\_  
Jaymes A. Vettraino, Borough Manager/Treasurer

(610) 683-6131  
Telephone

\_\_\_\_\_  
Russell M. Samilo, Assistant Treasurer

610) 683-6131  
Telephone

7. This resolution shall become effective at the earliest date permitted by law.

DULY ADOPTED AS A RESOLUTION, this 20<sup>th</sup> day of July, 2005 by the Council of the Borough of Kutztown, Berks County, Pennsylvania in lawful session duly assembled.

Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Eidle, seconded by Mr. Seyler,

Resolved, To adopt the following Resolution:

## RESOLUTION NO. 22-2005

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, TO AUTHORIZE THE DISPOSITION OF CERTAIN NON-

PERMANENT RECORDS, IN ACCORDANCE WITH RESOLUTION NO. 8-2004 ADOPTED MARCH 16, 2004 BY THE COUNCIL OF THE BOROUGH OF KUTZTOWN, THE MUNICIPAL RECORDS MANUAL APPROVED ON JULY 16, 1993, AND ACT 428 OF 1968.

WHEREAS, by virtue of Resolution No. 8-2004, adopted March 16, 2004, the Borough of Kutztown declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993, and

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by Resolution of the governing body of the municipality.

NOW, THEREFORE, BE IT RESOLVED, That the Council of the Borough of Kutztown, Berks County, Pennsylvania, in accordance with the above-cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

1. 2004 utility payment stubs for electric, cable/internet, water and sewer services.

DULY ADOPTED AS A RESOLUTION this 20<sup>th</sup> day of July, 2005, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To adopt the following Resolution:

RESOLUTION NO. 23-2005

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA TO AFFIRM THE RECOMMENDATION OF THE AWARDS REVIEW BOARD TO AWARD THE LIFE SAVING AWARD TO KUTZTOWN BOROUGH POLICE DEPARTMENT PATROL OFFICER WALTER J. SKAVINSKY.

WHEREAS, Kutztown Borough Police Department Standard Operating Procedure 2001-01 provides for the recognition of Police Officers who perform their duties in a manner beyond that which is normally expected; and

WHEREAS, the recognition of Police Officers is done by awards; and

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WHEREAS, Standard Operating Procedure 2001-1 requires that the Council of the Borough of Kutztown affirm by resolution a recommendation by the Awards Review Board; and

WHEREAS, the Awards Review Board has recommended that Kutztown Borough Police Department Patrol Officer Walter J. Skavinsky be awarded the LIFE SAVING AWARD for performing an act in the line of duty, through prompt and alert actions, resulting in the saving of a life during an incident on April 16, 2005 within the Borough of Kutztown.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown to award the LIFE SAVING AWARD to Kutztown Borough Police Department Patrol Officer Walter J. Skavinsky.

This Resolution shall become effective on June 21, 2005.

DULY ADOPTED AS A RESOLUTION this 20<sup>th</sup> day of July, 2005 by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To adopt the following Resolution:

## RESOLUTION NO. 24-2005

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING RESOLUTION NO. 27-1995, WHICH ESTABLISHED THE FEES FOR THE BOROUGH OF KUTZTOWN NOTARY PUBLIC SERVICES.

IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania as follows:

The Borough of Kutztown shall charge fees for notary public services as fixed by the Secretary of the Commonwealth of Pennsylvania, and set forth by the Pennsylvania Association of Notaries, with an effective date of May 28, 2005. A copy of said fees are posted in the offices of the Borough of Kutztown, 45 Railroad Street, Kutztown, PA.

These fees may be waived at the Borough Manager's discretion for services, when said services are requested and/or benefiting the

Borough of Kutztown.

ADOPTED AS A RESOLUTION this 20<sup>th</sup> day of July, 2005, by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Seyler, Resolved, To confirm the appointments of the following Louisa Gonser Community Library Board of Directors: Lillian Karch, Robert Flatley, Roseanne Perkins, Carl Mantz, William Yurvati, Sara Mack, Sam Keiser, and Brendan Strasser, effective June 9, 2005. Passed by unanimous vote.

President Crooker called for an Executive Session at 8:52 p.m. to discuss two nonuniformed personnel matters. The Executive Session ended and the Council Meeting reconvened at 9:31 p.m.

A motion was made by Mr. Mantz, seconded by Mr. Follweiler, Resolved, To approve a new position for the Code Office, Community Development Director, and to advertise for that position. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mantz, Resolved, To adjourn the Council Meeting upon vote. Passed by unanimous vote. The meeting ended at 9:33 p.m.

Prepared and Attested by: Gina M. Wiand  
Assistant Borough Secretary