

17663

June 17, 2008
Kutztown, PA

The regular meeting of the Kutztown Borough Council was called to order at 7:30 p.m. in the Kutztown Municipal Building by President Malcolm A. Eidle, with other members present: Mr. Edwin Seyler, Mrs. Amy Bray, Mr. James Schlegel, Mr. Mark Gangewere, Mr. Kevin Snyder, and Mayor Sandra Green. Mr. Keith Mooney, representing the Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Mr. Dave Woglom, Interim Borough Manager; Mr. Richard Celmer, representing the Borough's planning and water/wastewater engineering firm of Spotts, Stevens, & McCoy, Inc.; Mr. Theodore R. Cole, Chief of Police; Mr. Richard J. Diehm, Director of Special Projects; Mr. Dave Horvath, Information Technologies Coordinator; Bonnie Bray, Borough Secretary/Human Resources Director; Mr. Robert Watrous, Director of Judicial Affairs at Kutztown University; Chris, Ben and Jonathan Rarick of Boy Scout Troop 101; W. Wayne Hopkins, representing the Borough Planning Commission; Amiee Bollinger, representing the Environmental Advisory Commission; and Jay Druckenmiller of Kutztown were also present.

President Eidle asked if there was anyone who wished to address Council before proceeding with the agenda, and there was no response.

Mr. Eidle acknowledged the thank you letter received by the American Legion for the Borough's assistance with the Memorial Day parade.

Mr. Eidle introduced the new Borough Manager, Gabriel Khalife and welcomed him to the Borough.

A motion was made by Mr. Gangewere, seconded by Mr. Schlegel, Resolved, To approve the Consent Agenda, consisting of the following items:

- Review and accept the Minutes of the May 20 and May 27, 2008, Council Meetings.
- Review and accept the Borough Community Development Office Report for May, 2008.
- Reallocate \$3,000 of budgeted swim team coach funding as follows: original approved allocation: Head Coach \$2,000; Assistant Coach \$750; and Assistant Coach II \$250 ó recommended allocation: Head Coach \$2,300 (Erin Goodhart), Assistant Coach \$700.00 (Heather Zentner), and no Assistant Coach II.
- Ratify approval for the payment of bills and necessary transfers of funds which have been provided to Borough Council in the Accounts Payable G/L Distribution Report, including payment dates from May 17, 2008, to June 13, 2008, as summarized below:

| | |
|---------------------------|--------------|
| General Fund | \$434,358.17 |
| Refuse and Recycling Fund | 36,072.31 |
| Water Fund | 48,453.19 |
| Electric Fund | 344,963.21 |
| Sewer Fund | 70,700.12 |
| Telecommunications Fund | 72,507.38 |

Passed by unanimous vote.

Under Borough Planning Commission and Environmental Advisory Commission, Mr. Hopkins, Chairman of the Borough Planning Commission, and Ms. Bollinger, Chairperson of the Environmental Advisory Commission, jointly submitted a proposal to Council recommending that the Borough conduct an air quality test in the Borough. The Borough will contact the same company that conducted an indoor air quality test for Borough Hall last year.

Under Community Development Committee, a motion was made by Mrs. Bray, seconded by Mr. Snyder, Resolved, To enact the following Ordinance:

17665

ORDINANCE NO. 6-2008

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA TO REPEAL AND REPLACE CHAPTER 189 ENTITLED "STORMWATER MANAGEMENT" OF THE CODE OF THE BOROUGH OF KUTZTOWN.

Passed by unanimous vote.

A motion was made by Mrs. Bray, seconded by Mr. Gangewere,

Resolved, To enact the following Ordinance:

ORDINANCE No. 7-2008

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 195 ENTITLED "SUBDIVISION AND LAND DEVELOPMENT" OF THE CODE OF THE BOROUGH OF KUTZTOWN, SO AS TO AMEND §195.26.D (3).

Passed by unanimous vote.

Council took no action with regard to Zoning Appeal No. Z-08-04 requesting a lot-size variance for the property located at 415-417 South Laurel Street.

A motion was made by Mrs. Bray, seconded by Mr. Schlegel, Resolved, To authorize the Borough to perform restorative work, if needed, to a section of ground along North Elm Street disturbed during the installation of utility lines for Hilltop Estates Subdivision and further authorize the Borough to recoup expenses incurred as a result of this repair from a security bond placed by Grande Construction, LP. Passed by unanimous vote.

A motion was made by Mrs. Bray, seconded by Mr. Gangewere, Resolved, To reappoint Danny Seaman to the Code Appeals Board for a five-year term, expiring July, 2013. Passed by unanimous vote.

A motion was made by Mrs. Bray, seconded by Mr. Gangewere, Resolved, To reappoint Craig Koller to the Housing License Appeals Board for a one-year term, expiring in July, 2009. Passed by unanimous vote.

A motion was made by Mrs. Bray, seconded by Mr. Gangewere, Resolved, To reappoint Andrew Arnold to the Housing License Appeals Board for a one-year term, expiring in July, 2009. Passed by unanimous vote.

Under Public Safety Committee, Mr. Gangewere advised that the Police Report for May, 2008, will be distributed at the next Council meeting. He reported the following fines were collected:

| | | |
|------------------------|-------------|-------------|
| District Justice Greth | April, 2008 | \$10,014.14 |
| Clerk of Common Pleas | April, 2008 | 920.48 |
| Secretary's Office | May, 2008 | 3,190.00 |

Off agenda, Mr. Gangewere announced that the parking group meeting was rescheduled for Thursday, June 19, 2008 at 6 p.m., at the Kutztown Municipal Building.

Under Public Works Committee, Mr. Snyder had nothing to report.

Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To introduce and authorize advertisement of the proposed Ordinance amending Chapter 29 of the Kutztown Code so as to remove the residency provision for the Borough Manager to reside within ten miles of the Borough of Kutztown. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To ratify the hiring of Naaman Schlegel and Jonathan Seaman, as seasonal laborers, effective May 12 and June 13, 2008, respectively. Passed by unanimous vote.

17667

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To ratify the hiring of a temporary clerk to assist in the Administrative office during a staff member's FMLA leave, starting on or about June 2, 2008. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To accept the resignation of Mara Bennett, with regret, effective June 13, 2008. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To ratify the hiring of a temporary clerk to provide administrative and clerical relief for the Public Works Building, starting on May 30, 2008. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To authorize the advertisement and hiring of a Field Operations Coordinator. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To ratify the amended position description for a Field Operations Coordinator. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To authorize Ed Seyler, Gabriel Khalife, and Bonnie Bray to represent the Borough in contract negotiations with AFSCME District Council 88. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To approve the position description for Apprentice/Meter Reader and reassign Evan Muller to probationary employment as a full-time Apprentice/Meter Reader, effective June 9, 2008. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To ratify the hiring of the following CSO II's, contingent upon their passing all post-offer testing requirements: William Speth, David Golowski, Robert E. Lee King, and Jarrod Weida. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Gangewere, Resolved, To ratify the hiring of Robert L. Strauss, Kutztown, PA, as a Refuse Laborer I, effective June 16, 2008, contingent upon successfully completing post-offer testing requirements. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Snyder, Resolved, To accord regular part-time employment status to Cynthia Wenrich, Library Clerk, upon completion of her probationary employment. Passed by unanimous vote.

Under Finance, Electric and Telecommunications Committee, a motion was made by Mr. Gangewere, seconded by Mr. Seyler, Resolved, To approve the 2008-2009 Hometown Utilicom nine-month service contract incentive offer. Passed by unanimous vote.

A motion was made by Mr. Gangewere, seconded by Mr. Schlegel, Resolved, To award the bid for the purchase of two 15-KV vacuum breakers with magnetic actuators to WESCO Distribution, Inc., Berwyn, PA, in the total bid amount of \$35,058.00. Passed by unanimous vote.

Off agenda, a motion was made by Mr. Snyder, seconded by Mr. Seyler, Resolved, To hire CCG Consulting, Beltsville, Maryland, to perform a financial and operations analysis of the Borough's telecom system at a cost not to exceed \$16,500,

17669

subject to the review and acceptance by the Borough solicitor. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Schlegel, seconded by Mr. Seyler, Resolved, To approve the water/sewer bill adjustment for 321-351 East Walnut Street in the amount of \$67.28. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Seyler, Resolved, To authorize the Water and Wastewater Committee to award the bid for the University Interceptor Replacement Project with ratification by Council at its July meeting. Passed by unanimous vote.

Additional off-agenda items:

1.) Mr. Schlegel noted that the Water and Wastewater Committee meeting was rescheduled for June 25, 2008.

2.) A motion was made by Mr. Gangewere, seconded by Mr. Seyler, Resolved, To authorize the appropriate Borough officials to execute the Keystone Engineering agreement to upgrade the SCADA software and hardware system, contingent upon the Water and Wastewater Committee's review and approval. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Schlegel, seconded by Mr. Gangewere, Resolved, To adjourn the meeting at 7:55 p.m. Passed by unanimous vote.

Prepared and
Attested by: Bonnie Bray
Secretary

Malcolm Eidle and Bonnie Bray hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates May 17, 2008 to June 13, 2008, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Malcolm A. Eidle

Bonnie Bray