

January 2, 2018
Kutztown, PA

A reorganization meeting of the Kutztown Borough Council was called to order at 7:30 p.m. in the Kutztown Train Station by Mr. James Schlegel, with other members of Borough Council present: Mr. Kevin Snyder, Mr. Edwin Seyler, Mr. Richard Diehm, Mr. Scott Piscitelli and Ms. Arabel Elliott. Mr. Derek Mace was absent. Mr. Troy Rider, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Kutztown Fire Company representative Larry Rentschler, Jr., visitors Daniel Schlegel, Dona Schlegel, Addison Schlegel, Don Hickman and Tracey Hickman; and residents Merry Schlegel, Brenda Bailey, Andrew Schlegel and Tim Seyler were also present.

Magisterial District Judge Gail Greth administered the oath of office to Mayor James Schlegel, Tax Collector Brenda Bailey, and Council members Arabel Elliott and Kevin Snyder.

Mayor Schlegel declared the nominations open for the office of President of Council. Mr. Seyler nominated Kevin Snyder for President of Council. Passed by unanimous vote.

Mayor Schlegel turned over the gavel and control of the meeting to Council President Snyder.

President Snyder declared nominations open for the office of Vice President of Council. Mr. Piscitelli nominated Derek Mace for Vice President of Council, but the nomination died for lack of a second.

President Snyder declared nominations open for the office of President Pro Tem

of Council. Mr. Seyler nominated Scott Piscitelli for President Pro Tem of Council.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To appoint Barbara Smith to the Vacancy Board for 2018. Passed by unanimous vote.

President Snyder appointed the following Chairpersons to the standing committees for 2018 and 2019:

Community Development and Public Safety Committee:

Chairperson: Scott Piscitelli

Members: Derek Mace and Dick Diehm

Finance and Electric Committee:

Chairperson: Derek Mace

Members: Kevin Snyder and Ed Seyler

Personnel Committee:

Chairperson: Dick Diehm

Members: Kevin Snyder and Arabel Elliott

Public Works Committee:

Chairperson: Kevin Snyder

Members: Ed Seyler and Scott Piscitelli

Telecommunications and Information Technologies Committee:

Chairperson: Arabel Elliott

Members: Dick Diehm and Scott Piscitelli

Water and Wastewater Committee:

Chairperson: Ed Seyler

Members: Derek Mace and Arabel Elliott

President Snyder appointed the following ad-hoc committee representatives for 2018 and 2019:

Kutztown Community Library Board

Arabel Elliott

Kutztown Day Committee

Ed Seyler

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Center for Community Leadership

Jim Schlegel

Berks Municipal Partnership

Jim Schlegel

Environmental Advisory Committee

Kevin Snyder

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To appoint the law firm of Barley Snyder, LLC, as the Borough Solicitor for 2018. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To appoint Herbert, Rowland & Grubic, Inc., as the Borough planning and water/wastewater consulting engineer to provide consulting services as requested and duly authorized. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To appoint Great Valley Consultants as the Borough transportation consulting engineer to provide consulting services as requested and duly authorized. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To appoint Utility Engineers PC as the Borough electrical consulting engineer to provide consulting services as requested and duly authorized. Passed by unanimous vote.

President Snyder asked if there was anyone who wished to address Council before proceeding with the agenda. There were no public comments.

Under Community Development and Public Safety Committee, a motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To appoint Stephen H. Price, Esq., and the firm Mogel, Speidel, Bobb & Kershner, as solicitor for the Zoning Hearing Board; Code Appeals Board; Housing License Appeals Board; and the Civil Service for

2018. Passed by unanimous vote.

Under Public Works Committee, there was nothing to report.

Under Personnel Committee, off of the agenda, a motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To accept, with regret, the resignation of Dorothy Fox, from the Housing License Appeals Board, effective immediately. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To accept, with regret, the resignation of William Fox, from the Kutztown Municipal Authority, effective immediately. Passed by unanimous vote.

President Snyder recognized the many years that Dorothy and William Fox have served the Borough, and he expressed how much it is appreciated.

Under Finance and Electric Committee, there was nothing to report.

Under Telecommunications and Information Technologies Committee, there was nothing to report.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To appoint Ed Spayd, of Herbert, Rowland & Grubic, Inc., as the Sewage Enforcement Officer for the Borough for 2018. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To adopt the following Resolution:

RESOLUTION NO. 1-2018

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING A SCHEDULE OF FEES, CHARGES AND EXPENSES FOR PROFESSIONAL CONSULTANTS AND ENGINEERS UTILIZED BY THE BOROUGH OF KUTZTOWN FOR THE REVIEW AND REPORT OF SUBDIVISION AND LAND DEVELOPMENT, STORMWATER MANAGEMENT

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AND FLOODPLAIN REGULATIONS SUBMITTALS TO THE BOROUGH OF KUTZTOWN.

IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, in conformity with the Pennsylvania Municipalities Planning Code, as from time to time amended, Chapter 195 "Subdivision and Land Development", Chapter 189 "Stormwater Management" and Chapter 123 "Floodplain Management" of the Code of the Borough of Kutztown to adopt the following schedule of fees, charges and expenses incurred by the Borough for the review and report of Subdivision and Land Development Plans and Stormwater Management, which shall be chargeable to Developers/Applicants, as follows:

SECTION 1 - Legal Consultants

Hourly rates shall be as listed below:

1. General Municipal Law Services (all matters not described in II below)

Solicitor and Solicitor's Partners	\$195.00
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Associates in Solicitor's Office	\$180.00
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Paralegals in Solicitor's Office	\$98.00
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Other Legal Consultants

Such fees, charges and expenses shall be the same as the charges incurred by the Borough for such Legal Consultants.

2. Specialized Services (travel time to be charged only from Reading office)

	Partner	Associate	Paralegal
Telecommunications	\$235.00	\$210.00	\$105.00

Labor/Employment/Benefits	\$235.00	\$210.00	\$105.00
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Environmental	\$235.00	\$210.00	\$105.00
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Litigation (excluding (i) code enforcement; (ii) zoning; and (iii) minor collection/eviction matters, in each case not involving other issues, claims or counterclaims)	\$235.00	\$210.00	\$105.00
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Municipal Finance (bonds) transaction	Fees negotiated per		
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SECTION 2 - Engineering Consultants

Hourly rates shall be as listed below:

1. Borough Water/Wastewater and Planning/Zoning Engineer and Staff

Junior Technician	\$50.00
Administrative Staff	\$65.00
Field Technician	\$75.00
Technician I	\$86.00
Technician II	\$98.00
Senior Technician	\$108.00
Staff Professional I	\$102.00
Staff Professional II	\$108.00
Project Professional	\$139.00
Senior Professional	\$155.00
Principal	\$165.00

2. Borough Electrical Engineering Consultants

Principal	\$100.00
Senior Professional	\$95.00
Project Manager	\$85.00
Engineer	\$70.00
Designer	\$55.00
CADD Operator	\$45.00
Support Staff	\$35.00

3. Borough Transportation Engineering Consultants

Rod Person; Engineering Aide	\$36.00-\$ 40.00
Administrative Assistant	\$54.00-\$ 58.00
Instrument Person; Survey Party Chief	\$67.00-\$ 70.00
Registered Surveyor	\$90.00-\$ 94.00
Design Drafter/Design Technician	\$82.00-\$ 88.00

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Senior Technician	\$86.00-\$ 90.00
Construction Observer; Code Officer Engineer/Designer	\$75.00-\$ 79.00 \$84.00-\$ 92.00
Senior Designer	\$97.00-\$101.00
Project Engineer	\$101.00-106.00
Project Manager; Senior Construction Observer	\$104.00-107.00
Senior Project Engineer; Senior Planner; Senior Project Manager; Senior Architect; Technical Manager; Principal	\$111.00-118.00
CAD Time	\$12.00
Travel – Mileage Rate	\$0.535 per mile*

(*The rate established by the IRS changes periodically, and the actual travel rate will be the rate allowed by the IRS.)

4. Other Engineering Consultants

Such fees, charges and expenses shall be at cost plus 10% as received from such Consultants.

SECTION 3 - Other Consultants

Such fees, charges and expenses shall be the same as the charges incurred by the Borough of Kutztown for such Consultants.

SECTION 4 - Miscellaneous Charges and Disbursement Expenses

Miscellaneous charges and disbursement expenses incurred by the Borough for the services of the above-noted Consultants in the performance of the reviews and reports required by Chapter 195 "Subdivision and Land Development", Chapter 189 "Stormwater Management" and Chapter 123 "Floodplain Regulations" of The Code of the Borough of Kutztown shall be charged to the Developer/Applicant at the same rate as charged to the Borough for such expenses.

SECTION 5 - Such fees, charges and expenses as herein listed shall be the same as would be charged to the Borough when such fees, charges and expenses are not reimbursable.

Such fees, charges and expenses as herein listed shall be on file and available upon request to the Developer/Applicant for review.

SECTION 6 - The Borough of Kutztown reserves the right to adopt additional fees, charges and expenses, and to modify the fees, charges and expenses listed herein.

Upon adoption or modification of this Resolution, any and all Developers and/or Applicants currently being charged for such services, as allowed by the Pennsylvania Municipalities Planning Code, as from time to time amended, shall be notified of such within ten (10) days of adoption.

SECTION 7 - Capitalized terms used herein without definition shall have the meanings attributed thereto by the Pennsylvania Municipalities Planning Code and/or Chapter 195 "Subdivision and Land Development", Chapter 189 "Stormwater Management" and Chapter 123 "Floodplain Regulations" of The Code of the Borough of Kutztown, as appropriate.

SECTION 8 - All Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

ADOPTED by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled this 2nd day of January, 2018.

Passed by unanimous vote.

President Snyder noted the following vacancies:

Code Appeals Board:	One Member Vacancy
	One Alternate Vacancy
Planning Commission:	Two Member Vacancies
Zoning Hearing Board:	Two Alternate Vacancies
Civil Service Commission:	One Member Vacancy
Housing License Appeals Board:	One Member Vacancy
	Three Alternate Vacancies
Telecommunications Advisory Commission:	One Member Vacancy

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To adjourn the reorganization meeting upon vote. Passed by unanimous vote. The meeting ended at 7:49 p.m.

Prepared and Attested by: Gina M. Wiand
Borough Secretary