A reorganization meeting of the Kutztown Borough Council was called to order at 7:36 p.m. in the Kutztown Train Station by the Mayor, Ms. Sandra Green, with other members of Borough Council present: Mr. Kevin Snyder, Mr. Edwin Seyler, Mr. James Schlegel, Ms. Rachael Birckbichler and Ms. Margaret Devlin. Mr. Derek Mace was absent. Mr. Troy Rider, Borough Solicitor; Ms. Laura Eberly, representing the Borough’s planning and water/wastewater engineering firm of SSM Group, Inc.; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Andrea Rahn, Assistant Borough Secretary; Finance Director Raymond Austin; Magisterial District Judge Gail Greth and Tax Collector Brenda Bailey were also present.

Magisterial District Judge Gail Greth administered the oath of office to Tax Collector Brenda Bailey, Mayor Sandra Green and Council members Kevin Snyder and Margaret Devlin.

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

The Mayor declared nominations open for the office of Vice President of Council. Mr. Seyler nominated Mr. James Schlegel for Vice President of Council. Passed by unanimous vote.

The Mayor declared nominations open for the office of President Pro Tem of Council. Ms. Birckbichler nominated Mr. Derek Mace for President Pro Tem of Council. Passed by unanimous vote.
At the conclusion of the election of officers, Mayor Green turned over the gavel and control of the meeting to Council President Snyder.

A motion was made by Mr. Schlegel, seconded by Mr. Seyler, Resolved, To Appoint Barbara Smith to the Vacancy Board for 2014. Passed by unanimous vote.

President Snyder appointed the following Chairpersons to the standing committees for 2014 and 2015:

Community Development and Public Safety Committee
Margaret Devlin

Public Works Committee
Kevin Snyder

Personnel Committee
Edwin Seyler

Finance and Electric Committee
Derek Mace

Telecommunications and Information Technologies Committee
Rachael Birckbichler

Water and Wastewater Committee
James Schlegel

President Snyder appointed the following ad-hoc committee representatives for 2014 and 2015:

Kutztown Community Library, Inc. Board
Derek Mace

Kutztown Day Committee
James Schlegel
Edwin Seyler

Center for Community Leadership
Sandra Green

Berks Municipal Partnership
Sandra Green
A motion was made by Mr. Schlegel, seconded by Ms. Birckbichler, Resolved, To appoint the law firm of Barley Snyder, LLC, as the Borough Solicitor for 2014. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Seyler, 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. Schlegel, seconded by Mr. Seyler, 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.

A motion was made by Mr. Schlegel, seconded by Mr. Seyler, Resolved, To appoint SSM Group, Inc., as the Borough planning and water/wastewater 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 Ms. Devlin, seconded by Mr. Schlegel, Resolved, To adopt the following Resolution:

RESOLUTION NO. 1-2014

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA AMENDING §A231-1.8 OF THE CODE OF THE BOROUGH OF KUTZTOWN, ENTITLED “CH. 135, HOUSING STANDARDS”, SPECIFICALLY ITEM “A” OF THAT SECTION, TO PROVIDE FOR THE INCREASE
OF THE ANNUAL LICENSE FEES FOR LETTING PROPERTY FOR OCCUPANCY.

WHEREAS, Section A231-1.8 (A) of Chapter A231 of the Code of the Borough of Kutztown sets forth the annual license fee structure for letting property for occupancy; and,

WHEREAS, the Council of the Borough of Kutztown from time to time adopts resolutions establishing the rates to be charged for annual licensing of properties leased for occupancy, by authority of the duly enacted ordinances of the Borough of Kutztown, Berks County, Pennsylvania; and,

WHEREAS, the Council of the Borough of Kutztown desires, by this Resolution, to amend said annual license fee structure.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, and it is hereby adopted by the authority of the same, that Sections A231-1.8(A)(1), A231-1.8(A)(2) and A231-1.8(A)(3) of Chapter A231 of the Code of the Borough of Kutztown are, and are hereby, amended so as to read:

(1) Single let dwelling, apartment or efficiency apartment: $63
(2) Boarding house: $63
(3) Rooming house:
   (a) Per Unit: $63
   (b) Per sleeping room within unit: $53

BE IT FURTHER RESOLVED that, except to the extent of the specific sections which are amended as set forth hereinafter, the provisions and fees set forth in §A231-1.8 of Chapter A231 of the Code of the Borough of Kutztown shall remain in full force and effect; and,

BE IT FURTHER RESOLVED that the above listed amended fees shall become effective upon issuance of the 2014-2015 housing licenses. All such fees shall thereafter continue in effect until the same are changed by action of the Council of the Borough of Kutztown; and,

BE IT FURTHER RESOLVED that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

DULY ADOPTED AS A RESOLUTION this 6th day of January, 2014, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled.

Passed by unanimous vote.
A motion was made by Ms. Devlin, seconded by Ms. Birckbichler, 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 2014. Passed by unanimous vote.

Under Public Works Committee, there was nothing to report.

Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To appoint Michael Miller as the Wastewater Department Crew Leader. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To hire Shelley Grim as a full time Office Assistant, effective January 1, 2014. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To hire Alison Trautmann as the Youth Librarian for the Kutztown Community Library, Inc. Passed by unanimous vote.

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. Schlegel, seconded by Mr. Eidle, Resolved, To adopt the following Resolution:

RESOLUTION NO. 2- 2014

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING BARLEY SNYDER, LLP, THE BOROUGH SOLICITOR TO TAKE ALL NECESSARY STEPS IT DEEMS APPROPRIATE IN DEFENDING THE BOROUGH AGAINST THE DECEMBER 27, 2013, ACTION FILED BY MAXATAWNY...
TOWNSHIP AND MAXATAWNY TOWNSHIP MUNICIPAL AUTHORITY AGAINST THE BOROUGH OF KUTZTOWN AND THE KUTZTOWN MUNICIPAL AUTHORITY IN AN EFFORT TO PREVENT THE CREATION AND FORMATION OF THE SAUCONY CREEK REGIONAL AUTHORITY AND TO FILE ANY PLEADINGS AND DOCUMENTS IT DEEMS APPROPRIATE TO ENFORCE THE AGREEMENTS WHICH PROVIDE FOR THE CREATION AND FORMATION OF THE SAUCONY CREEK REGIONAL AUTHORITY.

WHEREAS, on or about May 4, 2006, the Borough of Kutztown (the “Borough”), Maxatawny Township (the “Township”), Kutztown Municipal Authority (“KMA”) and the Maxatawny Township Municipal Authority (“MTMA”) (collectively the “Parties”) entered into an intermunicipal sanitary sewage service and treatment agreement, as amended by the first amendment to same executed on or about August 25, 2010 (the “Agreement”); and

WHEREAS, the Agreement required the Township to participate in forming a joint regional sewer authority to be known as the Saucony Creek Regional Authority (“SCRA”) and take other actions, on or before December 31, 2013 for the purpose of operating a Sewage Treatment Facility to be constructed upon land owned by the Borough of Kutztown in Maxatawny Township with funding for said sewage treatment facility to be incurred primarily by the Township and MTMA; and

WHEREAS, on or about December 27, 2013, the Township and MTMA filed a Declaratory Judgment action in the Court of Common Pleas of Berks County seeking to prevent the formation of the SCRA; and

WHEREAS, the Borough desires to adhere to the Agreement and seek enforcement of same pursuant to the terms and conditions contained therein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, that Barley Snyder, LLP, the Borough Solicitor, take all necessary steps it deems appropriate in defending the Borough against the action filed by the Township and MTMA against the Borough in an effort to prevent the creation and formation of the Saucony Creek Regional Authority and to file any pleadings and documents it deems appropriate to enforce the Agreements which provide for the creation and formation of the Saucony Creek Regional Authority.

BE IT FURTHER RESOLVED, that Gabriel Khalife, Borough Manager, is hereby authorized and directed to execute on behalf of the Borough of Kutztown any and all pleadings and documents prepared by Barley Snyder, LLP, requiring a signature of an authorized Borough Official, in response to the aforementioned Declaratory Judgment action or in an effort to compel adherence to the Agreement.
DULY ADOPTED as a Resolution this 6th day of January, 2014 by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Eidle, Resolved, To appoint Troy Sherman, of Great Valley Consultants, as the Sewage Enforcement Officer for the Borough for 2014. Passed by unanimous vote.

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

RESOLUTION NO. 3-2014

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 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 $188.00
   - Associates in Solicitor's Office $170.00
   - Paralegals in Solicitor's Office $98.00
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)

<table>
<thead>
<tr>
<th>Service</th>
<th>Partner</th>
<th>Associate</th>
<th>Paralegal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telecommunications</td>
<td>$225.00</td>
<td>$200.00</td>
<td>$98.00</td>
</tr>
<tr>
<td>Labor/Employment/Benefits</td>
<td>$225.00</td>
<td>$200.00</td>
<td>$98.00</td>
</tr>
<tr>
<td>Environmental</td>
<td>$225.00</td>
<td>$200.00</td>
<td>$98.00</td>
</tr>
<tr>
<td>Litigation (excluding (i) code enforcement;</td>
<td>$225.00</td>
<td>$200.00</td>
<td>$98.00</td>
</tr>
<tr>
<td>(ii) zoning; and (iii) minor collection/eviction matters, in each case not involving other issues, claims or counterclaims)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Finance (bonds)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

 Fees negotiated per transactions

SECTION 2 - Engineering Consultants

Hourly rates shall be as listed below:

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

<table>
<thead>
<tr>
<th>Role</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Support</td>
<td>$42.00</td>
</tr>
<tr>
<td>Technician; Project Support</td>
<td>$65.00</td>
</tr>
<tr>
<td>CAD Drafter; Specialist I</td>
<td>$77.00</td>
</tr>
<tr>
<td>Designer; Land Surveyor; Planner I; Project Representative; Specialist II</td>
<td>$90.00</td>
</tr>
<tr>
<td>Senior Designer; Senior Land Surveyor; Planner II; Senior Project Representative; Specialist III</td>
<td>$102.00</td>
</tr>
<tr>
<td>Engineer; Geologist; Planner III; Specialist IV</td>
<td>$112.00</td>
</tr>
<tr>
<td>Technical Manager; Senior Engineer; Senior Geologist; Senior Planner; Specialist V</td>
<td>$122.00</td>
</tr>
</tbody>
</table>

2. Borough Electrical Engineering Consultants

<table>
<thead>
<tr>
<th>Role</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>$100.00</td>
</tr>
<tr>
<td>Senior Professional</td>
<td>$95.00</td>
</tr>
<tr>
<td>Project Manager</td>
<td>$85.00</td>
</tr>
<tr>
<td>Engineer</td>
<td>$70.00</td>
</tr>
<tr>
<td>Designer</td>
<td>$55.00</td>
</tr>
</tbody>
</table>
3. Borough Transportation Engineering Consultants

- Rod Person; Engineering Aide: $36.00-$40.00
- Word Processor: $44.00-$48.00
- Technician; Administrative Assistant: $54.00-$56.00
- Instrument Person; Survey Party Chief: $67.00-$70.00
- Registered Surveyor: $90.00-$92.00
- Design Drafter/Design Technician: $82.00-$86.00
- Senior Technician: $86.00-$90.00
- Construction Observer; Code Officer: $75.00-$78.00
- Engineer/Designer: $84.00-$92.00
- Senior Designer: $97.00-$101.00
- Project Engineer: $101.00-$104.00
- 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: $0.565 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 6th day of January, 2014.

Passed by unanimous vote.
President Snyder noted the following vacancies:

- Borough Planning Commission: One Member Vacancy
- Code Appeals Board: One Member Vacancy
- Housing License Appeals Board: One Member Vacancy
- Housing License Appeals Board: One Alternate Vacancy
- Zoning Hearing Board: Two Alternate Vacancies
- Environmental Advisory Commission: Two Member Vacancies
- Telecommunications Advisory Commission: Two Member Vacancies

A motion was made by Mr. Schlegel, seconded by Ms. Birckbichler, Resolved,

To adjourn the reorganization meeting upon vote. Passed by unanimous vote. The meeting ended at 7:53 p.m.

Prepared and Attested by: Andrea Rahn
Assistant Borough Secretary