A regular meeting of the Kutztown Borough Council was called to order at 7:32 p.m. in the Kutztown Train Station by the President, Mr. Kevin Snyder, with other members of Borough Council present: Mr. Derek Mace, Mr. Edwin Seyler, Ms. Peggy Devlin, Mr. Richard Diehm and Mr. Scott Piscitelli. Mayor Sandra Green was absent. Mr. Keith Mooney Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Mr. Daniel Eslinger, Community Development Director/Zoning Officer; Police Chief Craig Summers; Kutztown University Student Ambassador to Council, Cole Mitchell; Kutztown Area Transport Services representative Cheri Keim; Maxatawny Township representative Steve Wilson; Northeastern Berks EMS representative Doug Demchyk; Kutztown Planning Commission representative Amanda Raudenbush; Kutztown Environmental Advisory Commission representative Jeri Carroll; Borough employees Eric Boyer and Therese Mertz; residents Allison Fuller and Carlton Wolfinger; and reporter for the Reading Eagle, Mr. Ron Devlin, was also present.

President Snyder recognized Rachael Martin for her four years of service and dedication as a member of Borough Council by presenting her with a clock plaque.

President Snyder also recognized James Schlegel for his ten years of service and dedication as a member of Borough Council by presenting him with a clock plaque.

Scott Kramer, from RBC, reviewed with Council a refinancing opportunity for a Series B Bond of 2011.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To pursue
the refinancing opportunity for a Series B Bond of 2011. 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.

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

- Review and accept the Minutes of the December 15, 2015 Borough Council meeting.
- Review and accept the Minutes of the January 4, 2016 reorganization Borough Council meeting.
- Review and accept the Borough Community Development Report for December, 2015.
- 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 December 12, 2015 through January 15, 2016, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$175,405.44</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$63,038.44</td>
</tr>
<tr>
<td>Fire Protection Tax Fund</td>
<td>$470.13</td>
</tr>
<tr>
<td>Recreation Tax Fund</td>
<td>$470.13</td>
</tr>
<tr>
<td>Road Tax Fund</td>
<td>$1,175.32</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$93,569.76</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$391,757.81</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$95,079.98</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$59,655.06</td>
</tr>
</tbody>
</table>

Passed by unanimous vote.

Under Borough Planning Commission, Ms. Raudenbush read aloud the letter regarding Z-15-05 for 760 Seem Drive, which recommends that the requested variances be granted.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To approve the recommendation, from the Planning Commission, that the requested
variances be granted for Z-15-05 regarding 760 Seem Drive. Passed by unanimous vote.

Ms. Raudenbush read aloud the letter regarding Z-15-06 for 780 Seem Drive, which recommends that the requested special exceptions be granted.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To approve the recommendation, from the Planning Commission, that the requested special exceptions be granted for Z-15-06 regarding 780 Seem Drive. Passed by unanimous vote.

Under Environmental Advisory Commission, Jeri Carroll presented Council with the Environmental Advisory Commission Annual Report. Ms. Carroll thanked Council for their ongoing support and Ms. Devlin thanked the Environmental Advisory Commission for all of their work.

Under Community Development and Public Safety Committee, the Monthly Police Report for December 2015 was submitted.

The following fines were collected:

<table>
<thead>
<tr>
<th>Source</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Justice Greth</td>
<td>November, 2015</td>
<td>$8,155.58</td>
</tr>
<tr>
<td>Clerk of Common Pleas</td>
<td>November, 2015</td>
<td>$619.95</td>
</tr>
<tr>
<td>Secretary’s Office</td>
<td>December, 2015</td>
<td>$2,075.00</td>
</tr>
</tbody>
</table>

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To approve the Environmental Advisory Commission’s North Park Management Plan. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To approve the request from Tim Howells to use the Band Shell on June 3 and 4, 2016, for a wedding, and to only charge for one day. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To
approve the request from the Silverbacks Rugby Club to use the Multipurpose Field, from March through May, 2016. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from the Kutztown Optimist Club to hold their annual Fools Run on April 2, 2016, from 8:30am until noon, and to waive any associated fees. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To reappoint Gene Mosca as a member of the Telecommunications Advisory Commission, whose term shall expire on January 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To reappoint Randy Jay Haydt as a member of the Telecommunications Advisory Commission, whose term shall expire on January 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To reappoint Steven Fritz as a member of the Telecommunications Advisory Commission, whose term shall expire on January 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To appoint David Slabonik as a member of the Telecommunications Advisory Commission, whose term shall expire on January 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To accept the resignation of Shireen Massoudi as a student member of the Environmental Advisory Commission. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To appoint
Rachael Gonzalez as a student member of the Environmental Advisory Commission, whose term shall expire on January 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To approve a 3% salary increase, for Janet Yost, as recommended by the Library Board. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To hire Alexandra Gallagher as a Library Clerk Level 1, contingent upon passing all required background checks. Passed by unanimous vote.

An Executive Session to discuss personnel and legal matters was deferred until the end of the meeting.

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 Ms. Devlin, Resolved, To adopt the following Resolution:

RESOLUTION NO. 2-2016

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE SCHEDULE OF FEES SET FORTH IN THE APPENDIX TO THE CODE OF THE BOROUGH OF KUTZTOWN, AT §A231-1.18, OF THE CODE OF THE BOROUGH OF KUTZTOWN, ENTITLED “CHAPTER 218, WATER AND SEWERS”, BY PROVIDING FOR AN INCREASED DEPOSIT FOR REQUEST TO CONNECT TO THE BOROUGH’S WATER OR SEWER SYSTEM AND INCREASED FACILITIES FEES FOR THE INSTALLATION OF WATER METERS AS PROVIDED FOR IN SECTION 218-3 AND 218-4 OF THE CODE OF THE BOROUGH OF KUTZTOWN.

WHEREAS, Section 218-3 of the Code of the Borough of Kutztown provides for the setting of a deposit for connection of water and/or sewer lines to a property from time to time by Resolution of Borough Council.
WHEREAS, Section 218-4 of the Code of the Borough of Kutztown provides for the cost for facilities fee for installation of water meters to be set from time to time by Resolution of Borough Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, and it is hereby adopted by the authority of same, that the schedule of fees set forth in the Appendix to the Code of the Borough of Kutztown, at §A231-1.18, of the Code of the Borough of Kutztown, entitled “Chapter 218, Water and Sewers”, be and is hereby, amended to read as follows:

SECTION 1. §A231-1.18 of the Code of the Borough of Kutztown is hereby amended as follows:

§A231-1.18, Ch. 218, Water and Sewers

A. Section 218-3, deposit.
(1) Deposit for water: $4,000.
(2) Deposit for sewers: $4,000.

B. Section 218-4, cost for facilities fee. The fee imposed for the furnishing of a water meter and the installation of a water meter shall be in an amount equal to the greater of the cost of furnishing such water meter and the installation thereof or the sum of $500.

SECTION 2. If any provision, sentence, clause, section, or part of this Resolution shall for any reason be found unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Borough Council of the Borough of Kutztown that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not be included herein.

SECTION 3. All Resolutions or parts of Resolutions, as from time to time amended, inconsistent with the provisions of this is Resolution are hereby superseded and repealed.

SECTION 4. Except to the extent of the specific fees which are set forth hereinabove, the provisions of §A231-1.18, Chapter 218 of the Code of the Borough of Kutztown, as previously amended, shall remain in full force and effect.

SECTION 5. The above listed fees shall become effective upon the adoption and approval of this Resolution. All such fees shall thereafter continue in effect until the same are changed by action of the Council of the Borough of Kutztown.

ADOPTED by the Council of the Borough of Kutztown, Berks County,
Pennsylvania, in a lawful session duly assembled this 19th day of January, 2016.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the ESRI proposal for the Borough’s GIS program. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To authorize SSM Group, Inc. to prepare the Delaware River Basin Commission Water Audit Report. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To authorize SSM Group, Inc. to prepare the annual Chapter 94 Report. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To authorize SSM Group, Inc. to meet with New Enterprise Stone & Lime Company to review and discuss technical analysis in regard to the Borough wells and quarry operations. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the sewer credit request, for 84 Noble Street, in the amount of $94.51. Passed by unanimous vote.

Under Miscellaneous, President Snyder noted the following vacancies:

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

President Snyder called for an Executive Session at 8:02 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at
A motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:43 p.m.

 Prepared and Attested by: Gina M. Wiand
 Borough Secretary

Kevin Snyder and Gina Wiand hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from December 12, 2015 through January 15, 2016, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

____________________________  ________________________
Kevin J. Snyder  Gina M. Wiand