

February 21, 2017
Kutztown, PA

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, Mr. Scott Piscitelli, and the Mayor, Ms. Sandra Green. Mr. Keith Mooney, Borough Solicitor; Mr. Darryl Jenkins, representing the Borough's planning and water/wastewater engineering firm of SSM Group, Inc.; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Police Chief Craig Summers; Planning Commission representative Lisa Ladd-Kidder; Environmental Advisory Commission representatives Jeri Carroll and Rachael Gonzalez; Northeastern Berks Emergency Medical Service representatives Amy Evans, Jolene Schlegel and Doug Demchyk; Borough Emergency Management Center representatives Todd Evans and Mike Russo; Topton Ambulance representative Tyler Bard; Kutztown Fire Company representatives Eric Diehl and Don Battista; Maxatawny Township representative Steve Wilson; residents Allison Fuller, Jim Schlegel, Janine Heffner, John Fry, Jeremy Perras and Jim DeBoer were also present.

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

Tyler Bard, from Topton Ambulance, addressed Council with concerns regarding Kutztown's ambulance service now that Northeastern Berks Emergency Medical Service (NEBMS) has begun operating in the Borough. Mr. Bard stated that due to proximity, Topton started to dispatch their Kutztown calls to NEBMS, but the County deemed that

to be “circumventing the system.” Mr. Bard asked Council how they would like Topton to proceed. Mr. Piscitelli deferred an answer so that Council could discuss it in Executive Session.

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

-) Review and accept the Minutes of the January 17, 2017 Borough Council meeting.
-) Review and accept the Borough Community Development Report for January, 2017.
-) Approve the 2017 “Concerts in the Park” schedule and associated costs.
-) Approve the request from the Kutztown Community Library to use the Band Shell on August 17, 2017, for their summer reading program, and to waive associated fees.
-) 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 January 14, 2017, through February 17, 2017, as summarized below:

General Fund	\$390,795.15
Refuse and Recycling Fund	\$72,610.70
Fire Protection Tax Fund	\$12.63
Recreation Tax Fund	\$50.50
Road Tax Fund	\$50.50
Water Fund	\$149,838.98
Electric Fund	\$394,765.24
Sewer Fund	\$193,572.20
Telecommunications Fund	\$125,558.84

Passed by unanimous vote.

Under Borough Planning Commission, Lisa Ladd-Kidder read aloud a recommendation letter to Council regarding Mobilite’s request that the FCC set federal regulations that would exempt the siting of distributed antenna systems from local control.

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A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To authorize drafting, signing and submitting a “Comment Letter” to the FCC, before March 8, 2017, regarding Mobilite’s request of the FCC. Passed by unanimous vote.

Under Environmental Advisory Commission, Rachael Gonzalez presented the Annual Report, which is on file in the Borough administrative office.

Under Community Development and Public Safety Committee, the Monthly Police Report for January, 2017 was submitted.

The following fines were collected:

District Justice Greth	December, 2016	\$5,868.79
Clerk of Common Pleas	December, 2016	\$149.05
Secretary’s Office	January, 2017	\$1,350.00

Mr. Piscitelli noted that a report of the Borough of Kutztown Civil Service Commission expenses for 2016 has been distributed to Council.

Mr. Piscitelli also noted that the agreement between Kutztown Area Transport Service and Northeastern Berks Emergency Medical Service is due at the end of the month.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from the Kutztown Community Partnership to hold the Block Party on April 23, 2017, and to waive any associated fees. Passed by unanimous vote.

Mr. Khalife noted that the appropriate blocks need to be secured with the Police Chief’s approval.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the request from the Kutztown Community Partnership to hold the Kutztown

Kruizz on July 29, 2017, from 9:30 a.m. until 5:00 p.m., and to waive any associated fees.
Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To renew a revised (rent-free) lease agreement for the Kutztown Community Partnership to operate the pool concession stand during the 2017 season. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To award the 2017 weed spray contract to Natural Lawn of America. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To accept the resignation of Chris Habeck from the Borough Planning Commission. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To accept the resignation of Arabel Elliott, CSO II, effective immediately. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To approve sending Evan Muller to the Pennsylvania Rural Electric Association “Key Man” Technical Training in Somerset, PA, February 28 through March 2, 2017, at an estimated cost of \$1,100.00. 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, a motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To introduce and authorize advertisement of the proposed Resolution amending labor and equipment rates. Passed by unanimous vote.

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Under Telecommunications and Information Technologies Committee, a motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To approve the Fox Network and Fox News cable agreements. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To approve a change order, in the amount of \$6,672.00, for modifications to the electrical controls for the Lakeside Screen. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the proposal for grant funding for the 2017 Agricultural BMPs, in the wellhead watershed, to be conducted by the Berks Nature. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the sewer credit request, for 722 Seem Drive, in the amount of \$23.47. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To award the 2017-2019 Sludge Hauling Bid to Potty Pumpers Elite (Miller's Sanitary Service), in the amount of \$99,000.00, contingent upon receipt of required documents. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To provide twenty percent, an amount not to exceed \$4,000.00, as a match toward the grant from the Tony Hawk Foundation for the proposed Skate Park Project. Passed by unanimous vote.

Under Miscellaneous, President Snyder noted that the Borough Code is in the process of being updated with Supplement No. 21.

President Snyder also noted the following vacancies:

Code Appeals Board:	One Member Vacancy
	One Alternate Vacancy
Planning Commission:	One Member 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 8:05 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 8:26 p.m.

Mr. Piscitelli answered Topton Ambulance's previous question regarding ambulance service in the Borough by stating that Council would prefer to for Topton to continue taking the calls and to stop dispatching the calls to Northeastern Berks Emergency Medical Service.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:27 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 January 14, 2017, through February 17, 2017, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand