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March 21, 2017
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:33 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. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Kutztown University Student Ambassador to Council, Cole Mitchell; Northeastern Berks Emergency Medical Service representatives Douglas Demchyk, Stephen Demchyk and Melissa Szabo; Maxatawny Township representative Steve Wilson; Kutztown Area Transport Services representative Rodney Freeman; Kutztown Emergency Management representative Todd Evans; residents Jim Schlegel, Allison Fuller, Arabel Elliott, Eric Boyer and Jim DeBoer; and Mr. Ron Devlin, reporter for the Reading Eagle, were also present.

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

-) Review and accept the Minutes of the February 21, 2017 Borough Council meeting.
-) Review and accept the Borough Community Development Report for February, 2017.

- J Take action on the request from the Kutztown Area High School Athletic Department to use the softball and legion fields for their 2017 practices and games, and to place two port-o-potties at the legion field.
- J Take action on the request from the Optimist Club to use the tennis court, hockey rink, Brick Pavilion, bathrooms and park area, as well as the use of six barricades, on April 15, 2017, for their Annual Easter Egg Hunt, and to waive any associated fees.
- J Take action to donate two family pool passes for the 2017 Friend, Inc., Community Services Benefit Auction.
- J Take action on the request from the American Legion Post No. 480 to hold its annual Memorial Day Parade on Monday, May 29, 2017, and to waive any associated fees.
- J Authorize the appropriate Borough officials to execute the contract for the Allentown Band, Inc., to perform three concerts on Kutztown Day, Sunday, August 6, 2017, for a fee of \$2,650.00, which includes a \$350.00 meal allowance.
- J 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 February 18, 2017, through March 17, 2017, as summarized below:

General Fund	\$272,777.76
Refuse and Recycling Fund	\$128,030.34
Fire Protection Tax Fund	\$2.81
Recreation Tax Fund	\$11.22
Road Tax Fund	\$11.22
Water Fund	\$57,552.18
Electric Fund	\$339,255.06
Sewer Fund	\$69,343.51
Telecommunications Fund	\$67,309.28

Passed by unanimous vote.

Under Borough Planning Commission, there was nothing to report.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, the Monthly

Police Report for February, 2017 was submitted.

The following fines were collected:

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District Justice Greth	January, 2017	\$8,592.78
Clerk of Common Pleas	January, 2017	\$151.41
Secretary's Office	February, 2017	\$5,100.00

Off of the agenda, a motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To authorize the appropriate Borough officials to execute the Release and Indemnity Agreement with Berks County Emergency Services. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To direct Kutztown Area Transport Services to add Northeastern Berks Emergency Medical Service to the Borough's run cards. All in favor, except Mr. Diehm, who voted Nay. There being a majority in favor, the motion passed.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from GT Church to use the Band Shell and Scooter Building on July 23, and August 13, 2017. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To draft a Resolution designating the Kutztown Park Playground, Scooter Building, Band Shell, Basketball Court, and future Skate Park, as smoke-free zones, and to pursue a grant for "smoke free zone" signage through the Council on Chemical Abuse. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from Kutztown Strong and a Kutztown University fraternity to co-host a parent/student "Play Day," in the park on April 22, 2017, to use the Brick and Flora Pavilions, and to waive any associated fees. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To

provide free season pool passes, for the 2017 season, to the following people/organizations: family passes for all full-time and part-time Borough employees; 15 family pass vouchers to the Kutztown Fire Company for the Chief to distribute to active members at his discretion; two family passes to the Kutztown Community Partnership for the pool concession stand managers; and adult passes to the St. John's and Shaynah Kinner daycare employees, which are only to be used when the employees are working. Note: The deadline for the daycares to hand in their pool pass applications and payments is May 15, 2017. 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 use the Park Multipurpose Field, in April and May 2017, for their T-Ball Program. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from Mark Arnold to use the Scooter Building on June 3, 2017, for a birthday party, and to waive the rental fee. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To hire Kyle Acker as the Environmental Advisory Commission's 2017 summer Borough intern. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To appoint Melissa Engelhardt as an alternate member of the Zoning Hearing Board, whose term shall expire on April 1, 2020. 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,

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

RESOLUTION NO. 1-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 4-2016 OF THE BOROUGH OF KUTZTOWN AND §A231-2 OF CHAPTER A231 OF THE CODE OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, ENTITLED "BOROUGH LABOR AND EQUIPMENT RATES," FIXING THE BILLING RATES FOR BOROUGH OF KUTZTOWN LABOR AND EQUIPMENT.

IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania as follows:

SECTION 1 - The Borough of Kutztown shall charge the following billing rates for Borough labor and equipment:

SECTION 2 - Labor Rates

	<u>Straight Time 1/2 hr. Min Charge</u>	<u>Straight Time Hourly Charge</u>	<u>Overtime Hourly Charge</u>
Utilities/Telecom Division Hourly Personnel	\$22.00	\$44.25	\$66.50
Public Works Division Hourly Personnel	\$21.00	\$42.00	\$63.00
Clerical Hourly Personnel	\$18.50	\$37.00	\$55.50
Administrative Personnel	\$28.50	\$57.00	N/A
Public Safety Division Police	\$45.75	\$91.50	N/A
Community Service Officers	\$12.25	\$24.50	\$36.75

Billing Notes:

1. The billing of straight-time rates or overtime rates will be determined in accordance with the actual application of pay required from the Borough of Kutztown (Employer) to the Borough employee(s).
2. A minimum of one-half (1/2) hour shall be billed for work performed while the employee(s) are receiving straight-time compensation, and to the nearest quarter hour from the total thereafter.
3. A two (2) hour minimum of overtime shall be billed for special call-outs when the employee is entitled to overtime and two (2) hour minimum compensation, and to the nearest quarter hour from the total thereafter.
4. Administration classification includes Code Inspector and Planning & Code Office Administrator.

5. A flat fee of \$10.00 will be charged for special pick up of discarded Christmas trees as per policy adopted by Kutztown Borough Council.

SECTION 3 - Equipment Rates (THESE RATES DO NOT INCLUDE LABOR/OPERATOR RATES)

NOTE: ALL EQUIPMENT MUST BE OPERATED BY A BOROUGH EMPLOYEE UNLESS OTHERWISE AUTHORIZED BY A BOROUGH SUPERINTENDENT.

Bobcat	\$34.40 per hour
Accessories:	
Pavement breaker	\$22.50 per hour
Broom	\$12.50 per hour
Paint Sprayer (line striping)	\$18.00 per hour
Pressure Washer	\$18.00 per hour
Snow Blower	\$11.00 per hour
Bucket Truck	\$45.00 per hour
Roller	\$23.00 per hour
Tamper - Jumping Jack	\$10.00 per hour
Generator (large trailer-mounted)	\$51.00 per day + fuel used
Welder	\$19.00 per hour
Air Compressor	\$80.00 per day + fuel used
Accessories:	
Jackhammer	\$18.00 per day
Accessories:	
1 - ea. Pavement Breaker - Hand Held	\$8.00 per day
1 - ea. Asphalt Cutter - 5"	\$8.00 per day
1 - ea. Moll Point	\$8.00 per day
Pick-up Truck	\$20.00 per hour
Dump Truck	\$40.00 per hour
Line Truck	\$55.00 per hour
John Deere Backhoe	\$45.00 per hour
Garbage Packer Truck	\$55.00 per hour
Forklift	\$30.00 per hour
Salter/Truck	\$51.00 per hour plus cost of salt
Snow Loader (Belt)	\$78.00 per hour
4 Wheel Rubber Tire Loader (VOLVO)	\$99.00 per hour
Ditch Witch Trencher	\$21.00 per hour

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Street Sweeping (Municipalities only)	\$46.00 per hour plus cost of labor (except Maxatawny Township for college area and surrounding areas only (College Blvd., etc.))
Tamper – Vibratory plate	\$10.00 per hour
2” Pump	\$8.00 per hour
Accessories:	
Suction Hose Per 10’ Length	\$1.60 per day
Discharge Hose Per 10’ Length	\$1.05 per day
3” Pump	\$10.45 per hour
Accessories:	
Suction Hose Per 10’ Length	\$2.05 per day
Discharge Hose Per 10’ Length	\$1.60 per day
Breaker for Boom Mounting	\$37.00 per hour
Crimping Tool - Pilot Tool	\$8.00 per day
Tapping Machine (DO NOT LOAN OUT) + Pick-Up Truck	\$38.90 per TAP \$16.00 per hour
Concrete Saw	\$11.25 per hour + blade charge (\$30 minimum blade charge; \$138.80 per 1/32 blade use)
Pipe Cutter- Ductile Iron or Cast Iron	\$22.50 per day
Pipe Trailer	\$7.20 per day
Hand Tamper	\$4.00 per day
Pipe Locator - Underground Electric Line Locator	\$8.00 per hour
Pipe Locator – Water Line	\$8.00 per hour
Leak Detector (Water)	\$8.00 per hour
Fire Hydrant De-Chlor Equipment	\$10.00 per hour (plus de-chlor tablets, \$0.85 @)
Sewer Line Video Camera	\$20.00 per hour
Cable Fault Locator (Electric)	\$8.00 per hour
#18 Tractor - mowing, etc.	\$28.00 per hour
Brush Chipper	\$31.25 per hour

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Photocopying					\$.25 per side of sheet of paper
Laminating					\$.75 per page
Cones:					\$1.00 per cone, per day
Cost per each cone for replacement					
Cone					\$17.95
Cross-walk sign					\$25.50
Sign Stands:					\$1.00 per sign, per day
Cost per each stand for replacement					\$20.00
Barricades*:					
Cost per each barricade			Replacement	Rental	
Class I Wooden (no lights)			\$175.00	\$3.00 per day	
Class II Non-metallic (w/lights)			\$53.50	\$7.50 per day	
Class III Metallic (w/lights)			\$251.00	\$15.00 per day	
Steel Plates (for securing excavations)			Replacement	Rental	
			\$1,000.00	\$15.00 each	per day
Flashers*:					
Cost for replacement of Flashers if lost or stolen or damaged (includes batteries)					\$18.25 each

*NOTE: Under emergency situation only, Borough can loan out barricades/flashers to contractors at the above listed fees, plus labor for set-up and removal.

SECTION 4 - In addition to labor and equipment charges, administrative expenses and overhead costs will be applied and billed for reimbursement to the Borough, with the amount and/or method of charge to be determined by the Borough Manager.

SECTION 5 - The above listed fees shall become effective March 21, 2017, through adoption of this Resolution and shall thereafter continue in effect until the same are changed by action of the Council of the Borough of Kutztown.

SECTION 6 - All Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

DULY ADOPTED AS A RESOLUTION by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled this 21st day of March, 2017.

Passed by unanimous vote.

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

Under Water and Wastewater Committee, a motion was made by Mr. Seyler,

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seconded by Mr. Mace, Resolved, To approve the Wastewater Treatment Plant “Release and Hold Harmless” Agreement. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To purchase a 5800 Refrigerated Sampler, from Hartco Environmental, in the amount of \$5,625.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the proposals, from M&A Excavating for four areas of point repair, at a cost not to exceed \$27,000.00. Passed by unanimous vote.

Mr. Seyler noted that two Kutztown University math students will continue their Wastewater mathematical modeling projects through the summer.

Under Miscellaneous, President Snyder 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 7:44 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 7:51 p.m.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 7:52 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 February 18, 2017, through March 17, 2017, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand