A regular meeting of the Kutztown Borough Council was called to order at 7:31 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. Eric Grindrod, 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; Mr. Daniel Eslinger, Community Development Director/Zoning Officer; Police Chief Craig Summers; Kutztown Area Transport Services representative Becky Rakowiecki; Maxatawny Township representative Steve Wilson; Northeastern Berks EMS representative Steve Demchyk; Nom Prophets representatives Julia Zion and ChristieAnne Whitby; Borough Planning Commission member Lisa Ladd-Kidder; Environmental Advisory Commission member Jeri Carroll; Borough employee/Kutztown Community Partnership representative Eric Boyer; and Mr. Ron Devlin, reporter for the Reading Eagle, was also present.

Off of the agenda, President Snyder announced that the Borough would host an emergency blood drive, through the Miller-Keystone Blood Center, on Friday, May 20, 2016, from 9:00 a.m. until 12 noon, in front of the Kutztown Train Station.

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

Julia Zion, from Nom Prophets, addressed Council with a request to hold a Food
and Arts Festival/Job Fair in the Kutztown Park, on July 24, 2016, from 11:00 a.m., until around 8:00 p.m., and to utilize the Scooter Building, Band Shell and Ceres Pavilion.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve use of the Scooter Building, Band Shell and Ceres Pavilion, at non-profit rates, for the Nom Prophets Food and Arts Festival/Job Fair, contingent upon meeting insurance requirements. Passed by unanimous vote.

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

- Review and accept the Minutes of the April 19, 2016 Borough Council meeting.
- Review and accept the Borough Community Development Report for April, 2016.
- Take action to waive the fees associated with the Kutztown Community Library’s request to use the Band Shell on August 4, 2016, for their summer reading program.
- Ratify the request from Laura Bernhard to use the Band Shell on May 15, 2016.
- 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 April 16, 2016, through May 13, 2016, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$224,033.18</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$27,149.43</td>
</tr>
<tr>
<td>Fire Protection Tax Fund</td>
<td>$3.67</td>
</tr>
<tr>
<td>Recreation Tax Fund</td>
<td>$5.86</td>
</tr>
<tr>
<td>Road Tax Fund</td>
<td>$14.71</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$118,331.73</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$300,555.59</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$63,000.68</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$89,553.63</td>
</tr>
</tbody>
</table>

Passed by unanimous vote.

Under Borough Planning Commission, there was nothing to report.
Under Environmental Advisory Commission, President Snyder noted that Tara Erney resigned from the EAC effective May 2, 2016.

Under Community Development and Public Safety Committee, the Monthly Police Report for April, 2016 was submitted.

The following fines were collected:

<table>
<thead>
<tr>
<th></th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Justice Greth</td>
<td>March, 2016</td>
<td>$7,467.57</td>
</tr>
<tr>
<td>Clerk of Common Pleas</td>
<td>March, 2016</td>
<td>$874.58</td>
</tr>
<tr>
<td>Secretary’s Office</td>
<td>April, 2016</td>
<td>$4,450.00</td>
</tr>
</tbody>
</table>

A motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, To introduce and authorize advertisement of the proposed Ordinance amending §158-1, of the Code of the Borough of Kutztown, entitled Prohibited Acts. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To donate 2016 season family pool passes to each of the two volunteer pool snack stand managers. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To donate a 2016 season family pool pass to East Penn Manufacturing as a fundraiser for their Relay for Life team. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To approve the request from the Kutztown Community Partnership, to hold “Dinner on Main” on August 5, 2016; to waive any associated fees; and to waive the open container law for this event only. Mayor Green noted that the event will only be in the 200 block of West Main Street. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr.
Piscitelli, Resolved, To hire Jill Remick, as a Field Operations Coordinator, contingent upon passing all required background checks. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To approve the Contract for Professional Services, with Sheila Sacks, for graphic design services. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To renew the Employee Assistance Program, at a cost of $1,553.38, for 54 full time employees. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To accept the resignation of Alexandra Gallagher, as a part-time Library Clerk, effective May 19, 2016. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To accord full time employment to Kyle Hess, Refuse Laborer. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To accord full time employment to Jacob Auman, Patrol Officer. Passed by unanimous vote.

Ms. Devlin deferred an Executive Session to discuss personnel and legal matters until the end of the meeting.

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

Under Telecommunications and Information Technologies Committee, a motion was made by Mr. Diehm, seconded by Ms. Devlin, Resolved, To increase the Expanded Basic TV package and TiVo Bundles that include Expanded Basic TV, by $3.50 each, starting with the June billing for July services. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To
approve the Fortinet estimate, in the amount of $36,150.00, for Borough office and Kutztown public Internet protection. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To sell a surplus Wachs P-2 Handheld Valve Exerciser with attachments to Kutztown University for $4,000.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To authorize the Borough Manager to send, via fax, a letter to DEP opposing New Enterprise Stone and Lime Company’s request for an increase in their permitted amount of mine water discharged into the Sacony Creek. Passed by unanimous vote.

Lisa Ladd-Kidder read from a public notice regarding the matter and she suggested revising Mr. Seyler’s motion by adding the following points:

1. A public meeting should be scheduled to allow residents to be informed on the issue.

2. An extension of the public comment period should be granted by the DEP.

3. A written response from DEP should be requested.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To amend the previous motion authorizing the Borough Manager to send, via fax, a letter to DEP opposing New Enterprise Stone and Lime Company’s request for an increase in their permitted amount of mine water discharged into the Sacony Creek to include requesting that a public meeting should be scheduled to allow residents to be informed on the issue; that an extension of the public comment period should be granted by the DEP; and that a written response from DEP should be requested. Passed by unanimous vote.
Ms. Devlin thanked Ms. Ladd-kidder for her research and for bringing it to Council’s attention.

Under Miscellaneous, President Snyder noted the following vacancies:

- Code Appeals Board: One Member Vacancy
- Code Appeals Board: One Alternate Vacancy
- Zoning Hearing Board: Two Alternate Vacancies
- Housing License Appeals Board: One Member Vacancy
- Housing License Appeals Board: Three Alternate Vacancies
- Environmental Advisory Commission: One Member Vacancy
- 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 8:22 p.m.

Off of the agenda, a motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To authorize a letter to be sent to the Borough’s legislators opposing the proposed amendment to Executive Session topics. Passed by unanimous vote.

Regarding the May 14, 2016 Electronics Recycling Event, Ms. Devlin expressed her disappointment in the service during the event and how the Borough was poorly represented because of it.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:24 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 April 16, 2016,
through May 13, 2016, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

____________________________  ______________________________
Kevin J. Snyder               Gina M. Wiand