A regular meeting of the Kutztown Borough Council was called to order at 7:30 p.m. in the Kutztown Train Station by the President, Mr. Kevin Snyder, with other members of Borough Council present: Mr. James Schlegel, Mr. Edwin Seyler, Ms. Rachael Martin and Ms. Peggy Devlin. Mr. Derek Mace and the Mayor, Ms. Sandra Green, were absent. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Director of Marketing Communications and Customer Relations; Mr. Daniel Eslinger, Community Development Director/Zoning Officer; Mr. Mark Arnold, Telecommunications Director; Police Chief Craig Summers; Mr. Raymond Austin, Finance Director; Borough employees Debra Loy and husband Kerry Loy, Cheryl Wiltrout and husband Kenny Wiltrout, Cathy Runkle and husband Keith Runkle, Shelley Grim and husband Gary Grim; Kutztown Group Holdings (College Town Communities) representative Matt Genesio; local business owners Craig Scholedice and Ladd Forsline; and Mr. Steve DeLucas, reporter for the Reading Eagle were also present.

President Snyder announced that an Executive Session was held on Monday, June 16, 2014, and that no action was taken.

Mr. Seyler called for an Executive Session at 7:31 p.m. to discuss personnel matters. The Executive Session ended and the meeting reconvened at 8:53 p.m.

Kutztown Group Holdings (College Town Communities) representative Matt Genesio provided Council with an update on their workshop meeting with the Borough Planning Commission regarding the land development of the Silk Mill on Willow Street.
and surrounding areas. He stated that the meeting was very helpful and educational, and that they received a lot of positive feedback. He requested that Council be mindful of the time sensitive nature of the project moving forward.

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

Local business owners Craig Scholedice and Ladd Forsline both spoke in favor of the Silk Mill Project.

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

- Review and accept the Minutes of the May 21, 2014 Borough Council meeting.
- Review and accept the Borough Community Development Report for May, 2014.
- Take action to approve the request from the Quad County Optimist Baseball League to use the Legion Field and to charge a $100.00 fee per game for use of lights if required.
- Ratify the annual donation of $1,000.00 to Friend, Inc. for their Brake the Cycle of Poverty event.
- Take action to approve the request from St. John’s Evangelical Lutheran Church to rent the Band Shell on August 9, 2014.
- Take action to approve payment #2 to Joao & Bradley Construction Co., Inc., in the amount of $255,819.98, for work completed on the Water Line Replacement project.
- Take action to approve payment #8 to Wickersham Construction and Engineering, Inc., in the amount of $751,947.00, for work completed at the Water Treatment Plant.
- Take action to approve payment #20 to Wickersham Construction and Engineering, Inc., in the amount of $152,300.00, for work completed at the Wastewater Treatment Plant.
Take action to approve payment #4 to Wexcon Construction, in the amount of $103,097.85, for final payment on Contract 1 of the Sanitary Sewer Rehabilitation Project (Wastewater I&I project).

Take action to approve Change Order #9, from Wickersham Construction and Engineering, Inc., in the amount of $9,124.00, for the Water Plant Project.

Take action to approve Change Order #10, from Wickersham Construction and Engineering, Inc., in the amount of $444.00, for the Water Plant Project.

Take action to approve Change Order #11, from Wickersham Construction and Engineering, Inc., in the amount of $631.00, for the Water Plant Project.

Take action to approve Change Order #12, from Wickersham Construction and Engineering, Inc., in the amount of $6,187.00, for the Water Plant Project.

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 May 16, 2014 through June 12, 2014, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$200,302.13</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$49,049.32</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$56,272.12</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$446,254.65</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$76,209.99</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$68,333.43</td>
</tr>
</tbody>
</table>

Passed by unanimous vote.

Under Borough Planning Commission, there was nothing to report.

Under Environmental Advisory Commission, there was nothing to report.


Ms. Devlin reported 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>April, 2014</td>
<td>$11,784.30</td>
</tr>
<tr>
<td>Clerk of Common Pleas</td>
<td>April, 2014</td>
<td>$688.06</td>
</tr>
<tr>
<td>Secretary’s Office</td>
<td>May, 2014</td>
<td>$4,475.00</td>
</tr>
</tbody>
</table>

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by
Ms. Martin, Resolved, To adopt the following Resolution:

RESOLUTION NO. 7-2014

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, REQUESTING A GREENWAYS, TRAILS AND RECREATION PROGRAM (GTRP) GRANT OF $170,000.00, FROM THE COMMONWEALTH FINANCING AUTHORITY, TO BE USED FOR UPGRADES TO THE KUTZTOWN PARK.

BE IT RESOLVED, that the Borough of Kutztown, Berks County, Pennsylvania, hereby requests a Greenways, Trails and Recreation Program (GTRP) grant of $170,000.00, from the Commonwealth Financing Authority, to be used for upgrades to the Kutztown Park, which will include playground equipment, landscaping, benches, and improved pathways to the play area and sandbox.

BE IT FURTHER RESOLVED that the Borough of Kutztown does hereby designate Gabriel Khalife, Borough Manager, as the official to execute all documents and agreements between the Borough of Kutztown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

DULY ADOPTED AS A RESOLUTION this 17th day of June, 2014, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Schlegel, Resolved, To award the bid for the 2014 Street and Storm Sewer Improvements Projects to Reading Materials, Inc., for the base bid and base bid with alternate, for a total amount of $223,740.00 and $253,262.00, respectively. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Martin, Resolved, To approve the Sign Retroreflectivity Management Plan. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Ms. Devlin, Resolved, To establish the following rental rates for the North Park Gazebo: $50.00 for Borough residents, $75.00 for non-residents and $25.00 for civic groups. Passed by unanimous vote.

June 17, 2014 Council Meeting Minutes
vote.

A motion was made by Mr. Schlegel, seconded by Ms. Devlin, Resolved, To establish the following rental rates for the North Park Gazebo and Pavilion when rented together: 100.00 for Borough residents, $125.00 for non-residents and $40.00 for civic groups. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Martin, Resolved, To approve the request for Congressman Charlie Dent to use the Ceres Pavilion, for a “Candidate Meet and Greet,” on June 28, 2014, and to waive any associated fees. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To release the $903.63 retainage to pay Landis C. Deck for completed 2013 road work. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To offer free family season pool passes to Borough employees and their immediate families for the 2014 season. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Seyler, Resolved, To approve Borough collection of discarded television sets, at a charge of $40.00 per set, and to deliver them to the County Recycling Center or to RRS (pending an agreement). Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Ms. Martin, Resolved, To accept the resignation of Community Service Officer Richard Youpa, effective May 12, 2014. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To hire
Arabel Elliott as a Community Service Officer II. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Martin, Resolved, To reappoint Andrew Arnold as a member of the Housing License Appeals Board, whose term shall expire on July 1, 2015. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To reappoint Craig Koller as a member of the Housing License Appeals Board, whose term shall expire on July 1, 2015. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Martin, Resolved, To reappoint Erma Bond as a member of the Code Appeals Board, whose term shall expire on July 1, 2019. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To renew the Employee Assistance Program service agreement with ESI. Passed by unanimous vote.

An Executive Session to discuss a legal matter was deferred until the end of the meeting.

Off of the agenda, a motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To approve the position description for a Water Treatment Plant Operator Semi-Skilled – Level I/Full Time, to post for the position internally and to advertise if necessary. Passed by unanimous vote.

Under Finance and Electric Committee, a motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To approve the Purchase Card Program Policy. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Martin, Resolved, To
execute the Additional Services Agreement with New World Systems, for Logos.net Human Resources – Next Gen, at a cost of $14,250.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To reimburse Borough administrative employees for college credits, in the amount of half of the cost of tuition, class books and related on-campus parking fees. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To award the bid for the 1999 GMC C7500 Bucket Truck w/ Versalift Mod.VO-255-1 55ft Insulated Bucket on Baker Utility Body (19251mi / 5103hr), to Logan Township, for a total cost of $27,200.00. Passed by unanimous vote.

Under Telecommunications and Information Technologies Committee, a motion was made by Ms. Martin, seconded by Mr. Schlegel, Resolved, To purchase new network switches for the NOC at a total cost of $6,354.00. Ms. Martin noted that this would be a 2015 budget item. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Schlegel, seconded by Ms. Devlin, Resolved, To adopt the following Resolution:

RESOLUTION NO. 8-2014

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING CORPORATE INDEMNITY OR SUBORDINATION REQUIRED FOR BONDS REGARDING THE MAIN STREET WATER LINE PROJECT.

WHEREAS, the Borough of Kutztown (the “Borough”) is a Pennsylvania municipal corporation organized and existing pursuant to the Borough Code of the Commonwealth of Pennsylvania, as adopted on February 1, 1965, P.L. 1656, No. 581, as amended and supplemented from time to time; and
WHEREAS, the Borough is materially interested in applying for or indemnifying certain bonds or undertakings to be furnished or procured by Merchants Bonding Company (hereinafter called “Surety”); and

WHEREAS, those bonds or undertakings to be provided by Surety are to guarantee the Borough’s obligations to the Pennsylvania Department of Transportation (hereinafter called “PennDOT”) for the restoration of certain portions of a state highway located in the Borough of Kutztown which the Borough intends to excavate; and

WHEREAS, the Surety is willing to execute such bonds or undertakings as surety upon the written indemnity of the Borough or written subordination of moneys owed to the Borough.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Manager be and is hereby authorized and empowered to execute any indemnity or subordination agreement or agreements required by the Surety as consideration for the execution by it of bonds or undertakings of whatever kind or nature in the Principal amount of Two Hundred Thirty Eight Thousand Four Hundred Eighty One and 25/100 Dollars ($238,481.25).

AND BE IT FURTHER RESOLVED, that the Borough Manager be and is hereby authorized and empowered, at any time prior or subsequent to the execution by said Surety of any such bonds or undertakings, to execute any and all amendments to said indemnity or subordination agreement or agreements; and to execute any other or further agreements relating to any such bonds or undertakings or to any collateral that may be or has been deposited with the Surety in connection therewith; and to take any and all other actions that may be requested or required by the Surety in the premises; and that any and all actions previously taken by the said officers of the kind and nature above described be and they are hereby ratified and accepted.

DULY ADOPTED AS A RESOLUTION this 17th day of June, 2014, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Ms. Devlin, Resolved, To authorize SSM Group, Inc. to prepare and submit the Delaware River Basin Commission Docket Renewal Application for the Borough’s public water supply wells. Passed by unanimous vote.

Under Miscellaneous, President Snyder noted the following vacancies:
June 17, 2014 Council Meeting Minutes

Code Appeals Board: One Member Vacancy
One Alternate Vacancy

Housing License Appeals Board: One Member Vacancy
Three Alternate Vacancies

Zoning Hearing Board Two Alternate Vacancies

Environmental Advisory Commission: Two Member Vacancies

Telecommunications Advisory Commission: Two Member Vacancies

President Snyder called for an Executive Session at 9:21 p.m. to discuss a legal matter. The Executive Session ended and the meeting reconvened at 10:15 p.m.

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

To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 10:16 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 May 16, 2014 through June 12, 2014, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

_____________________________  _____________________________
Kevin Snyder     Gina M. Wiand