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. Malcolm Eidle, Mr. Edwin Seyler, Mr. James Schlegel, Mr. Derek Mace and Ms. Rachael Birckbichler. Mayor Sandra Green was absent. Mr. Keith Mooney, Borough Solicitor; Ms. Laura Eberly, 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/Director of Marketing Communications and Customer Relations; Mr. David Horvath, Information Technologies Coordinator; Mr. Daniel Eslinger, Director of Community Development/Zoning Officer; Police Chief Craig Summers; Kutztown Planning Commission representative Lisa Ladd-Kidder; Ms. Taylor Eben, reporter for the Kutztown Area Patriot; 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. Schlegel, seconded by Mr. Eidle, Resolved, To approve the Consent Agenda, consisting of the following items:

- Review and accept the Minutes of the May 15, 2012 Borough Council meeting.
- Review and accept the Borough Community Development Report for May, 2012.
- 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 11, 2012 to June 14, 2012, as summarized below:
Under Borough Planning Commission, a motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved, To ratify the advertisement of the proposed Ordinance amending the Floodplain Ordinance. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Eidle, Resolved, To appoint Cindi Marsteller as a member of the Planning Commission, whose term shall expire on June 1, 2016. Passed by unanimous vote.

Lisa Ladd-Kidder reported that the Planning Commission was in the process of making suggested edits, by the Berks County Planning Commission, to the Borough’s draft Comprehensive Plan.

Ms. Ladd-Kidder also reported that the Planning Commission received a copy of the Reading Area Transportation Study; however, there was little time for review, so Karen Feridun performed a brief electronic review, and she found no mention of Kutztown. While the Planning Commission does not object to the study, they are concerned that Kutztown is not mentioned.

Councilman Seyler suggested that Mr. Khalife contact the Reading Area Transportation Authority to provide Karen Feridun’s contact information, so that the Planning Commission can be easily informed regarding future studies.

Under Environmental Advisory Commission, a motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To authorize the Environmental Advisory Commission
to donate $100.00 to Patrick Eigenbrod, an Eagle Scout who is planting native plants along the Sacony Creek. Passed by unanimous vote.


Mr. Mace reported the following fines were collected:

- District Justice Greth: April, 2012
  - $8,520.55
- Clerk of Common Pleas: April, 2012
  - $329.27
- Secretary’s Office: May, 2012
  - $7,525.00

Mr. Mace noted that the hearing for Zoning Appeal No. Z-12-01, regarding 37 Willow Street, has been continued until June 26, 2012.

Under Public Works Committee, a motion was made by Mr. Eidle, seconded by Ms. Birckbichler, Resolved, To authorize YSM to begin the bidding process for the development of North Park, contingent upon input from Maxatawny Township, the Department of Conservation and Natural Resources and the Berks County Conservation District. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To waive the park pavilion rental fee for the SPIN roller rink revitalization group’s fundraiser. Note: SPIN will work with the Borough’s park concessionaire, Michelle Graham. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Schlegel, Resolved, To give a $25.00 credit, from an unused 2011 rental fee, to St. John’s Church for a 2012 pavilion rental. Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Mr. Eidle, Resolved, To adopt the following Resolution:
RESOLUTION NO. 12-2012

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, TO APPROVE THE PUBLIC SALE, DURING KUTZTOWN DAY ON AUGUST 7, 2012, OF APPROXIMATELY 500 POUNDS OF MISCELLANEOUS SCRAP STEEL SIGNS. IT IS HEREBY RESOLVED BY THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA (HEREINAFTER “THE BOROUGH”), IN ACCORDANCE WITH SECTION 1201 (4) OF THE BOROUGH CODE, AS FOLLOWS:

RESOLVED, that the Borough shall sell, during Kutztown Day on August 5, 2012, approximately 500 pounds of miscellaneous scrap steel signs, having a total estimated sale value of less than One Thousand Dollars ($1,000.00).

APPROVED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania in lawful, regular meeting duly assembled this 19th day of June, 2012.

Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To approve the hiring of Police Officer Charles Lawson, effective June 20, 2012, contingent upon passing all certifications and employment screenings. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Craig Koller as a member of the Housing License Appeals Board, whose term shall expire July 1, 2013. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Andrew Arnold as a member of the Housing License Appeals Board, whose term shall expire July 1, 2013. Passed by unanimous vote.

Mr. Seyler noted that Evan Muller has achieved First Class Lineman status.
An Executive Session to discuss a personnel matter was deferred until the end of the meeting.

Under Finance and Electric Committee, a motion was made by Mr. Eidle, To approve two amendments to the 2012 budget. After some discussion, the motion died for lack of a second.

A motion was made by Mr. Eidle, seconded by Mr. Seyler, Resolved, To reassign and transfer the fixed assets and associated balance of the 2001 General Obligation Bond debt from the Telecommunications Fund to the General Fund. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Seyler, Resolved, To approve refunding, restructuring or refinancing the 2001 General Obligation Bond. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Schlegel, Resolved, To approve refinancing the 2008 Telecommunications VIST Bank loan. Passed by unanimous vote.

Under Telecommunications and Information Technologies Committee, Ms. Birckbichler had nothing to report.

Under Water and Wastewater Committee, a motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve a sewer credit, in the amount of $333.53, for 427 West Walnut Street. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Eidle, Resolved, To provide one sewer EDU (BOK) and one water EDU, to KMA, for the Weis Markets Gas-N-Go. Passed by unanimous vote.
A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve the application for final payment to Livengood Excavators, Inc., in the amount of $85,853.64, contingent upon Livengood Excavators, Inc. completing the remaining punch list items. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve Change Order No. 1, for additional paving regarding the Noble Street Water Line Project, and to approve the time extension to June 30, 2012. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved, To advertise the amended 2012 meeting schedule. Passed by unanimous vote.

President Snyder noted that the Sacony Creek Regional Authority is seeking three members to serve the following terms: one one-year term, one two-year term and one three-year term.

President Snyder noted the following vacancies:

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

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To adjourn the meeting for an Executive Session at 8:10 p.m. to discuss a personnel matter. Passed by unanimous vote.

The Executive Session ended and the meeting reconvened at 8:44 p.m. No action was taken.

A motion was made by Mr. Schlegel, seconded by Ms. Birckbichler, Resolved,
To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:44 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 13, 2012 to May 10, 2012, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

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Kevin Snyder     Gina M. Wiand