

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. 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. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Mr. Daniel Eslinger, Community Development Director/Zoning Officer; Maxatawny Township representative Steve Wilson; Kutztown Area Transport Services representative Rodney Freeman; Kutztown Fire Company and Emergency Management representative Todd Evans; Borough Planning Commission representative Lisa Ladd-Kidder; Borough graphic designer Sheila Sacks; resident Jim Schlegel; and Ms. Laura Quain, reporter for the Kutztown Area Patriot, were also present.

Ms. Wiand presented Council with an overview of the new Web site that she and Sheila Sacks have been developing for the Borough. Everyone liked the site and it was the consensus of Council to launch it as soon as possible. Ms. Wiand noted that she would facilitate the launch with David Horvath after his vacation.

Ms. Wiand asked Council if they were ready to make a decision on the free Web site video service offered by CGI Communications.

A motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, To enter in to an agreement with CGI Communications for their free Web site video service. Passed by unanimous vote.

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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 Ms. Devlin, Resolved, To approve the Consent Agenda, consisting of the following items:

-) Review and accept the Minutes of the May 17, 2017 Borough Council meeting.
-) Review and accept the Borough Community Development Report for May, 2017.
-) 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 12, 2017, through June 16, 2017, as summarized below:

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|---------------------------|--------------|
| General Fund | \$237,824.00 |
| Refuse and Recycling Fund | \$63,958.56 |
| Fire Protection Tax Fund | \$128.64 |
| Recreation Tax Fun | \$239.90 |
| Road Tax Fund | \$514.63 |
| Water Fund | \$161,324.09 |
| Electric Fund | \$381,968.79 |
| Sewer Fund | \$195,808.02 |
| Telecommunications Fund | \$167,438.40 |

Passed by unanimous vote.

Under Borough Planning Commission, Lisa Ladd-Kidder read aloud the Planning Commission's recommendation letter for the Borough to consider accepting the zoning Ordinance amendment regarding Wireless Communication Facilities, and to proceed with the required County notifications and advertisements for enactment of said Ordinance.

A motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To accept the proposed zoning Ordinance amendment regarding Wireless Communication Facilities, and to proceed with the required County notifications and advertisements for enactment of said Ordinance. Passed by unanimous vote.

Under Environmental Advisory Commission, there was nothing to report.

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

The following fines were collected:

| | | |
|------------------------|-------------|------------|
| District Justice Greth | April, 2017 | \$9,156.06 |
| Clerk of Common Pleas | April, 2017 | \$852.72 |
| Secretary’s Office | May, 2017 | \$5,125.00 |

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To adopt the following Resolution:

RESOLUTION NO. 4-2017

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, OPPOSING SENATE BILL 663 – UCC THIRD PARTY AGENCY BILL.

WHEREAS, the Borough of Kutztown’s use of one designated Third Party Agency provides the Borough with a very efficient, professional, streamlined and cost effective way to administer and enforce the Pennsylvania Uniform Construction Code (UCC); and

WHEREAS, the Borough’s designated Third Party Agency is very professional, efficient and timely in their UCC services to the Borough, which saves Borough residents, as well as developers and contractors, time and money; and

WHEREAS, forcing the Borough to contract with multiple Third Party Agencies will almost certainly create delays in service as well as potential administrative, paperwork and tracking problems, for the Borough’s Community Development Office, all of which add up to more delays, expense and aggravation for Borough taxpayers, developers and contractors; and

WHEREAS, a member of the Pennsylvania Senate has circulated a co-sponsorship memoranda, indicating his intention to introduce legislation in the near future, which would amend the Borough Code by requiring municipalities to contract with at least three Third Party Agencies;

NOW THEREFORE, be it so resolved that the Borough Council of the Borough of Kutztown hereby expresses its opposition to this recently proposed legislation on the basis that it will almost certainly create delays in service as well as potential administrative, paperwork and tracking problems, for the Borough’s Community

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Development Office, all of which add up to more delays, expense and aggravation for Borough taxpayers, developers and contractors.

AND FURTHER, a copy of this Resolution shall be provided to our State Representative and State Senator to encourage them to vigorously oppose this legislation on our behalf.

DULY ADOPTED AS A RESOLUTION this 20th day of June, 2017, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve billing Tamu Kemp one refuse charge as long as her home and business remain at the same location. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, To approve the request, from Griffin Price, to do an Eagle Scout project at North Park and at the Greenwich Street mini park consisting of native bee houses and an associated YouTube video on the care, maintenance and importance of native bees. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To approve the request from Alex Hernandez, an assistant professor at Kutztown University, to perform a mammal study at North Park. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To adopt the following Resolution:

RESOLUTION NO. 5-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, APPROVING THE SALE OF OLD PLAYGROUND EQUIPMENT AND OLD REFUSE TRUCK #8.

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 Council of the Borough of Kutztown shall authorize Gabriel Khalife, Borough Manager, and Brian Bailey, Public Works Superintendent, to sell old playground equipment and old refuse truck #8.

APPROVED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania in lawful, regular meeting duly assembled this 20th day of June, 2017.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To enact and ordain the following Ordinance:

ORDINANCE NO. 1–2017

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, OPENING A PORTION OF BALDY ALLEY FROM WEST MAIN STREET TO WEST WALNUT STREET, BERKS COUNTY, PENNSYLVANIA.

Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To accord full time employment to Sharon Dalickas, Office Clerk.

Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To reappoint Andrew Arnold, as a member of the Housing License Appeals Board, whose term shall expire on July 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To reappoint Craig Koller, as a member of the Housing License Appeals Board, whose term shall expire on July 1, 2018. Passed by unanimous vote.

An Executive Session to discuss personnel and legal matters was not needed.

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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 Mr. Piscitelli, Resolved, To increase the Expanded Basic TV package and TiVo Bundles that include Expanded Basic TV, by \$2.50 each, starting with the July billing for August services. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To execute the Retainer Agreement with Herbert, Rowland & Grubic, Inc. (HRG). Passed by unanimous vote.

Mr. Seyler noted that Jim Blaukovitch has passed his Distribution, Chlorine and General Water exams.

Under Miscellaneous, a motion was made by Mr. Mace, seconded by Ms. Devlin, Resolved, To adopt the following Resolution:

RESOLUTION NO. 6-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, ACCEPTING AND EXECUTING A GRANT TO REPAIR THE HVAC SYSTEM AT THE KUTZTOWN COMMUNITY LIBRARY.

WHEREAS, the Borough of Kutztown has entered into an agreement to accept a \$20,000 grant to repair the HVAC system at the Kutztown Community Library;

WHEREAS, this agreement was passed by unanimous vote by the Council of the Borough of Kutztown and was duly recorded in the Borough of Kutztown Council meeting minutes of April 18, 2017;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Kutztown does hereby designate Gabriel Khalife, Borough Manager, and Kevin Snyder, Borough Council President, as the officials to execute all documents and agreements between the Borough of Kutztown and the Kutztown Community Library to execute this grant.

DULY ADOPTED AS A RESOLUTION this 20th day of June, 2017, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

President Snyder noted the following vacancies:

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

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:05 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 12, 2017, through June 16, 2017, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand