

# 11799

August 15, 2017  
Kutztown, PA

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. Craig Summers, Kutztown Borough Police Chief; Kutztown Community Partnership representatives Janet Yost, Joel Seidel, Kelley Neyhart, Allison Fuller and Jerry Schearer; Rotary Club representative Jim Springer; Maxatawny Township representative Steve Wilson; Borough Planning Commission representative Lisa Ladd-Kidder; Kutztown Area Transport Services representative Rodney Freeman; Fair Districts PA representatives Deb Sieger and Linda Wood; resident Jim Schlegel; and Valdis Lacis, reporter for the Reading Eagle, were also present.

Kutztown Rotary Club member Jim Springer asked Council to reserve a date for the 2018 Taste of Kutztown event. He also noted that they would like to expand the event by hosting a run, at the lower end of the park, where the Brick Pavilion is located.

President Snyder said that Council would consider approving the requested date, but that all other details would need to go through the Public Works Committee.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To approve the request, from the Taste of Kutztown Committee, to reserve the Kutztown Park on June 9, 2018, for the Taste of Kutztown event. Passed by unanimous vote.

President Snyder announced the public notice for comment and discussion regarding the submission of a PA DCED Keystone Communities Program Planning Grant Application.

Mr. Khalife explained that the Borough is applying for this grant in an effort to plan for more permanent residential housing, throughout the Borough, in the future.

Mayor Green acknowledged the Kutztown Community Partnership (KCP) Board members in attendance: President Jerry Schearer, Treasurer Janet Yost, Secretary Gina Wiand, and members Joel Seidel, Kelley Neyhart and Allison Fuller.

Mr. Schearer spoke on behalf of KCP and offered the organization's full support of the Borough's application for this grant.

There were no further comments regarding this matter.

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

## RESOLUTION NO. 10-2017

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, REQUESTING A KEYSTONE COMMUNITIES PROGRAM GRANT OF \$ 25,000.00, FROM THE COMMONWEALTH FINANCING AUTHORITY, TO BE USED FOR THE BOROUGH OF KUTZTOWN RENTAL HOUSING STRATEGY PLANNING PROJECT.

BE IT RESOLVED, that the Borough of Kutztown ("Applicant") hereby requests a Keystone Communities Program grant of \$25,000.00, from the Commonwealth Financing Authority, to be used for the Borough of Kutztown Rental Housing Strategy Planning Project; and

BE IT FURTHER RESOLVED, that the Applicant does hereby designate Gabriel Khalife, who at the time of signing has the title of "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.

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I, Gina M. Wiand, duly qualified Secretary of the Borough of Kutztown, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough Council at a regular meeting held August 15, 2017, and said Resolution has been recorded in the Minutes of the Borough of Kutztown and remains in effect as of this date.

DULY ADOPTED AS A RESOLUTION this 15<sup>th</sup> day of August, 2017, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

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

Lisa Ladd-Kidder introduced Dr. Deborah Sieger, who is the Outreach Coordinator for Fair Districts Berks.

Dr. Sieger spoke about how the gerrymandering process has affected all of Pennsylvania and how the Fair Districts campaign is trying to get two bills passed that would “amend the state constitution to create an 11 member independent, impartial citizens redistricting commission responsible for redrawing Pennsylvania’s congressional, senate and house districts,” which will happen after the 2020 census.

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

## RESOLUTION NO. 11-2017

**A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, SUPPORTING A CITIZENS COMMISSION FOR LEGISLATIVE AND CONGRESSIONAL REDISTRICTING.**

WHEREAS, the citizens of the Borough of Kutztown and the Commonwealth of Pennsylvania deserve a fair, fully transparent, impartial and depoliticized process of the decennial drawing of state legislature and congressional districts of near equal population; and

WHEREAS, legislative and congressional redistricting has at times resulted in gerrymandered districts that favor one political party over others; and

WHEREAS, such gerrymandering of legislative and congressional districts has worked at times to the detriment of our representative democracy; and

WHEREAS, the creation of a truly independent citizens redistricting commission devoid of political motivation or partisanship will: ensure a fair, transparent, and accurate legislative and congressional redistricting process that respects political subdivisions; prohibit districts from being drawn to favor or discriminate against a political party or candidate; require the use of impartial and sound methodology when setting district boundaries; require public input; and fully comply with the constitutional requirement that “no county, city, incorporated town, borough, township or ward” be divided “unless absolutely necessary,” and

WHEREAS, legislation to amend the Pennsylvania Constitution to reform the decennial legislative and congressional redistricting process with the intent of using fairness and sound methodology in a non-partisan fashion is required to ensure these reforms.

NOW, THEREFORE, BE IT RESOLVED that the Kutztown Borough Council does hereby support legislative efforts to amend the Pennsylvania Constitution to assign the decennial task of both legislative and congressional redistricting to an independent citizens redistricting commission; and

BE IT FURTHER RESOLVED that we call upon all those elected officials and party leaders in the Commonwealth of Pennsylvania who represent the citizens of the Borough of Kutztown (see list below) to publicly announce their support of and commitment to work towards passage of such legislative efforts, and that a copy of this Resolution be delivered to each of them.

Governor Tom Wolf  
Lieutenant Governor Mike Stack  
Attorney General Josh Shapiro  
Secretary of State Pedro A. Cortés  
United States Senator Bob Casey  
United States Senator Pat Toomey  
United States Representative Charles Dent  
Pennsylvania Senator Judith L. Schwank  
Pennsylvania Representative Gary Day  
County Commissioner Kevin S. Barnhardt  
County Commissioner Christian Y. Leinbach  
County Commissioner Mark C. Scott  
Chairman, Democratic Party of Pennsylvania, Marcel Groen  
Chairman, Republican Party of Pennsylvania, Val DiGiorgio

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DULY ADOPTED AS A RESOLUTION this 15<sup>th</sup> day of August, 2017, 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. Piscitelli, seconded by Mr. Diehm, Resolved, To approve the Consent Agenda, consisting of the following items:

- ) Review and accept the Minutes of the July 18, 2017 Borough Council meeting.
- ) Review and accept the Borough Community Development Report for July, 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 July 15, 2017, through August 11, 2017, as summarized below:

General Fund	\$420,750.96
Refuse and Recycling Fund	\$60,056.12
Fire Protection Tax Fund	\$8.00
Recreation Tax Fund	\$32.00
Road Tax Fund	\$32.00
Water Fund	\$335,101.32
Electric Fund	\$383,568.59
Sewer Fund	\$458,463.83
Telecommunications Fund	\$53,598.77

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 July, 2017 was submitted.

The following fines were collected:

District Justice Greth	June, 2017	\$4,784.16
Clerk of Common Pleas	June, 2017	\$654.96
Secretary's Office	July, 2017	\$450.00

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To ratify the Letter of Agreement with Urban Research & Development Corporation, to assist in the submission of a PA DCED Keystone Communities Planning Grant Application, at a cost not to exceed \$2,000.00. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from Allison Fuller to use the Scooter Building on September 23, 2017. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, To approve the request from the Kutztown/Brandywine Youth Football and Cheer Association to use the multipurpose field for practices and games, from August 15, 2017, through the middle of November, 2017. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve approve the lease agreement allowing the Kutztown/Brandywine Youth Football and Cheer Association to run the Babe Ruth Field snack bar, during the 2017 season, contingent upon payment of a \$250.00 security deposit and proof of insurance. Passed by unanimous vote.

Under Personnel Committee, an Executive Session to discuss personnel and legal matters was not needed.

Mr. Khalife noted that union negotiations are going well and that the next meeting is scheduled for August 23.

Under Finance and Electric Committee, Mr. Mace noted that the Borough is currently working with Jim Havrilla on electric supply contracts.

Under Telecommunications and Information Technologies Committee, a motion

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was made by Mr. Diehm, seconded by Ms. Devlin, Resolved, To renew the License Agreement for tower rental space, with the PA State Police, and accept the Settlement Agreement and Release for paying rent under the expired agreement. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To approve the purchase of a Windows 2016 SQL Server and a Windows 2016 Standard Server, in the amount of \$11,700.00, from CDWG, for the upgrade of the Tyler Technology (formerly New World Systems) Human Resources/Payroll/Finance system. Passed by unanimous vote.

Under Water and Wastewater Committee, there was nothing to report.

Under Miscellaneous, President Snyder noted the following vacancies:

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 7:59 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 July 15, 2017, through August 11, 2017, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

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Kevin J. Snyder

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Gina M. Wiand