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. Malcolm Eidle, Mr. Edwin Seyler, Mr. Derek Mace, Ms. Rachael Birckbichler and the Mayor, Ms. Sandra Green. 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. Daniel Eslinger, Director of Community Development/Zoning Officer; Police Chief Craig Summers; Mr. Raymond Austin, Finance Director/Assistant Treasurer; Telecommunications Director, Mark Arnold; Interim Water Plant Manager, Dale Kramer; Planning Commission representatives Andy Arnold and Lisa Ladd-Kidder; Kutztown Fire Company Chief Troy Arndt; BET Investments representatives Chris Schiele and Vance Yacomes; Fox Rothschild representative Carrie Nase-Pouset; TPD representative Eric Mountz; Van Cleef Engineering representative Brian Focht; residents Joe Marra, Bryan Ross, Allen Gehringer and Peggy Devlin; and Mr. Ron Devlin, reporter for the Reading Eagle were also present.

Fire Chief Troy Arndt presented the Kutztown Fire Company 2012 Annual Report to Council. He pointed out that the Fire Company responded to 390 fire and emergency calls in 2012. He also reported on statistics such as the number of emergency responses per month, day of the week and time of day. In addition, he provided data
regarding emergency responses by municipality, response percentage by municipality, types of emergency incidents, total hours of service, average firefighters per call and action items completed in 2012. He also reported that 11 new members joined the Fire Company in 2012.

President Snyder commented on how surprised and impressed he is by the Fire Company’s membership growth and he thanked the Chief for a great job by all. Chief Arndt thanked Borough Council for their continued support.

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

Carrie Nase-Poust, Brian Focht and Chris Schiele addressed Council regarding BET Investments’ proposed development plans for College Boulevard. They said that they have already met informally with the Planning Commission and they wanted to keep Council apprised of the project.

Ms. Birckbichler asked if the plan was in violation of the Borough’s student separation rule. Mr. Mooney and Mr. Eslinger both responded that they do not think that the plans violate the rule.

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 July 16, 2013 Borough Council meeting.
- Take action on the request from the Kutztown Foundry to use the Train Station on August 27 and 28, 2013, from 9:30 a.m. to 4:00 p.m., and to waive any associated fees.
Take action on the request from the Kutztown Community Partnership to hold Downtown Trick- or-Treat Night on October 23, 2013, and to issue the parade permit and waive any associated fees.

Take action on the request from the Kutztown Rotary Club to hold the Taste of Kutztown event on June 7, 2014, and to issue the parade permit and waive any associated fees.

Take action on the request from Maria DiMaggio to hold an event on September 29, 2013, and to issue the parade permit and waive any associated fees.

Ratify the execution of the contract between Kutztown University (KU) and the Borough allowing KU to use the Kutztown Pool on August 23, 2013.

Take action on the request from the Kutztown Football Boosters to hold a bonfire on September 26, 2013, on the high school grounds, at 7:00 p.m.

Take action on the request from Charlie Dent to use the Train Station on August 26, 2013, and to waive any associated fees.

Ratify the renewal of the Babe Ruth Concession Stand Lease Agreement with the Kutztown Cougar Youth Football and Cheerleading Association, for August 17, 2013 through October 27, 2013.

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 12, 2013 to August 15, 2013, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$524,606.98</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$61,304.50</td>
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<tr>
<td>Water Fund</td>
<td>$363,082.16</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$520,942.35</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$743,353.54</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$103,666.33</td>
</tr>
</tbody>
</table>

Passed by unanimous vote.

Under Borough Planning Commission, Lisa Ladd-Kidder asked Council to disregard the letter they received for Zoning Appeal No. Z-13-01 regarding 50 Apple Alley because the applicant requested to amend his application.

Ms. Ladd-Kidder read aloud the Planning Commission’s recommendation to approve the requested variance for Zoning Appeal No. Z-13-02 regarding 530 East Main
August 20, 2013 Council Meeting Minutes

11310 Street. No action was taken.

Mr. Mooney noted that he has drafted an Ordinance for another municipality that would eliminate these variance requests from having to be presented to the Planning Commission in the future and he will send a copy to Mr. Eslinger for his review.

Mr. Eidle thanked the Planning Commission for their work on the revised Comprehensive Plan.

Under Environmental Advisory Commission, there was nothing to report.


Mr. Mace reported the following fines were collected:

- District Justice Greth: June, 2013 $7,354.23
- Clerk of Common Pleas: June, 2013 $356.27
- Secretary’s Office: July, 2013 $1,325.00

Mr. Mace noted that the Community Development and Public Safety Committee is considering parking issues in town.

Under Public Works Committee, a motion was made by Mr. Schlegel, seconded by Mr. Eidle, Resolved, To approve the Oldcastle Precast, Inc. contract for the foot bridges at North Park. Passed by unanimous vote.

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

RESOLUTION NO. 14-2013

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, APPROVING THE SALE OF SURPLUS METAL ROOFING, TO DENNIS HASSLER, FOR $25.00.

August 20, 2013 Council Meeting Minutes
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 surplus metal roofing, having a total estimated sale value of Twenty-Five Dollars ($25.00), to Dennis Hassler.

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 August, 2013.

Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Mr. Eidle, Resolved, To approve the proposed Sacony Creek Trail Management Plan as presented by the Environmental Advisory Commission. Passed by unanimous vote.

President Snyder noted that the Borough recycled 6,288 pounds of electronic waste during the Electronics Recycling Day event on July 20.

Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To hire Ezra Border, as an Uncertified Maintenance Mechanic/Plant Operator, at an hourly rate of $16.36. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To hire Brett Gilmore as a part-time Seasonal Laborer, from August 21, 2013 through November 27, 2013, at an hourly rate of $10.28. 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 Borough Planning Commission, whose term shall expire October 1, 2017. Passed by unanimous vote.
A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Amanda Raudenbush as a member of the Borough Planning Commission, whose term shall expire October 1, 2017. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint David Bullock as a member of the Telecommunications Advisory Commission, whose term shall expire October 1, 2015. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Patricia McCloskey as a member of the Telecommunications Advisory Commission, whose term shall expire October 1, 2015. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To reappoint Erma Bond as a member of the Housing License Appeals Board, whose term shall expire October 1, 2014. Passed by unanimous vote.

Mr. Seyler noted that Mark Arnold accepted the position of Telecommunications Director at an annual salary of $64,000.00 and Jarrad Burkert accepted the position of Wastewater Plant Manager at an annual salary of $58,000.00.

Mr. Seyler also noted that part-time Seasonal Laborer David Weaknecht is transferring from the Wastewater Department to the Public Works Department through November 27, 2013.

An Executive Session to discuss personnel matters was deferred until the end of the meeting.

Under Finance and Electric Committee, Mr. Eidle had nothing to report.

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. Eidle, Resolved, To approve payment #10 to Wickersham Construction and Engineering, Inc., for work completed at the Wastewater Treatment Plant, in the amount of $150,285.00. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To purchase flow metering equipment, in the amount of $15,495.00, for the Hilltop, Briar Cliff, Highland Avenue and College Garden Drive pump stations. Passed by unanimous vote.

Mr. Khalife noted that the Borough received the permit for the water plant project.

Under Miscellaneous, President Snyder noted the following vacancies:

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

President Snyder called for an Executive Session at 8:15 p.m. to discuss personnel matters. The Executive Session ended and the meeting reconvened at 8:47 p.m. No action was taken.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:48 p.m.

Prepared and Attested by: Gina M. Wiand
Borough Secretary

August 20, 2013 Council Meeting Minutes
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 12, 2013 to August 15, 2013, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

______________________________  ________________________________
Kevin Snyder                      Gina M. Wiand