A regular meeting of the Kutztown Borough Council was called to order at 7:36 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. Derek Mace, Ms. Rachael Birckbichler and the Mayor, Ms. Sandra Green. Mr. James Schlegel was absent. Mr. Timothy Dietrich, 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. Andrea Rahn, Assistant Borough Secretary; Telecommunications Director Mark Arnold; IT Director David Horvath; Long Barrell representative Jack Long; Kutztown Community Partnership representative Andrew Arnold; Kutztown University Student Ambassadors Colin Quinn and Tayania Brown; residents Peggy Devlin, Nicholas Imbesi and Clarence Shirk were also present.

Jack Long, from Long Barrell presented Council with the 2012 Audit Report. There were no questions or comments.

Mr. Khalife presented Council with a 2014 Budget presentation. There were no questions or comments.

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

Auctioneer Clarence Shirk addressed Council requesting the closure of Saucony Alley on September 28, 2013, from 8:00 a.m. to 3:00 p.m., for an auction. Mr. Seyler questioned if a partial closure of Saucony Alley would be sufficient. Mr. Shirk agreed to a partial closure of the alley.
A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the partial closure of the 400 block of Saucony Alley. Passed by unanimous vote.

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

- Review and accept the Minutes of the August 20, 2013 Borough Council meeting.
- Review and accept the Borough Community Development Report for August, 2013.
- Take action to approve the 2014 refuse and recycling schedule.
- Take action to approve payment No. 2 to Land-Tech Enterprises, in the amount of $170,713.35, for work completed at the North Park.
- Take action to approve payment No. 1 to Landis C. Deck & Sons, in the amount of $32,773.50, for street work that has been completed.
- Take action to reimburse Lisa and Joe Walker $155.00 for their swimming pool pass.
- 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 August 16, 2013 to September 12, 2013, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$524,042.30</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$44,748.88</td>
</tr>
<tr>
<td>Fire Protection Tax Fund</td>
<td>$20.80</td>
</tr>
<tr>
<td>Recreation Tax Fund</td>
<td>$83.20</td>
</tr>
<tr>
<td>Road Tax Fund</td>
<td>$83.20</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$77,790.74</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$440,987.08</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$269,943.15</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$51,214.13</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.

Mr. Mace 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>July, 2013</td>
<td>$6,940.77</td>
</tr>
<tr>
<td>Clerk of Common Pleas</td>
<td>July, 2013</td>
<td>$1,553.46</td>
</tr>
<tr>
<td>Secretary’s Office</td>
<td>August, 2013</td>
<td>$2,350.00</td>
</tr>
</tbody>
</table>

A motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To renew the lease for the Community Development Office, for 2014, in the amount of $1,200.00 per month. Passed by unanimous vote.

Mayor Green noted that the police department received a grant from the Liquor Control Board.

Under Public Works Committee, a motion was made by Mr. Eidle, seconded by Mr. Seyler, Resolved, To approve the North Park Pedestrian Bridges change order in the amount of $12,500.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved, To approve change order No. 1, for the inlet box as part of the 2013 Street Improvements Project, in the amount of $1,730.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved, To approve the stipend to each pool manager for their chemical pesticide license in the amount of $250.00 each. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved, To approve the Train Station rental, for the Red Tail Crafters on October 24, 2013, with the condition that the Borough of Kutztown be named as an additionally insured. Passed by unanimous vote.
Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To adopt the following Resolution:

RESOLUTION 15-2013


WHEREAS, the members of the Council of the Borough of Kutztown, Berks County, Pennsylvania were notified on September 17, 2013, of the 2014 Minimum Municipal Obligation for the Police Pension Plan, after consulting with the Plan’s actuary; and

WHEREAS, the calculation of the 2014 Minimum Municipal Obligation for the Borough of Kutztown Police Pension Plan requires that each full-time police officer of the Borough of Kutztown, now or hereafter eligible for participation in the Police Pension Plan, contribute into the Police Pension Fund during the calendar year of 2014.

NOW, THEREFORE, BE IT RESOLVED, that a five percent contribution is required to be made into the Police Pension Fund for the calendar year 2014, by each full-time police officer of the Borough of Kutztown, now or hereafter eligible for participation in the Police Pension Plan for the calendar year of 2014, as provided for in §33-8, of the Code of the Borough of Kutztown, Berks County, Pennsylvania.

ADOPTED AND RESOLVED by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled this 17th day of September, 2013.

Passed by unanimous vote.

Mr. Seyler noted that the 2014 Minimum Municipal Obligation (MMO) for Non-Uniformed and Uniformed employee pension plans has been distributed to Council.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Steven Schnell as a member of the Kutztown Community Library Board of Directors, whose term shall expire January 1, 2017. Passed by unanimous vote.
A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To appoint Ron Stoudt as the Telecommunications Crew Leader. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To adopt the revised HIPAA/HITECH rules. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To participate in the Berks Career and Technology Center Training Plan and to enroll Tyler Johnson to work with the Electric Department, under the guidelines of the program, at the rate of $10.00 per hour. Passed by unanimous vote.

Mr. Seyler noted that Dale Kramer accepted the position of Water Plant Manager.

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

Under Finance and Electric Committee, a motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To execute the Financial Management Software License Agreement with New World Systems, for GASB Reporting, in the amount of $15,900.00. Note: A yearly maintenance fee of $1,440.00 will also be charged. 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. Eidle, seconded by Mr. Mace, Resolved, To approve payment #11 to Wickersham Construction and Engineering, Inc., for work completed at the Wastewater Treatment Plant, in the amount of $176,259.00. Passed by unanimous vote.
A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To approve the proposal from Keystone Engineering for connecting Maxatawny Township’s pump stations to SCADA. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To renew the lease agreement between the Borough of Kutztown and Kyle L. Henninger, for the Borough Farm Tract, effective November 15, 2013, through November 14, 2018. Note: The total amount per year is $2,876.00, payable in four equal installments of $719.00. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To renew the lease agreement between the Borough of Kutztown and the Berks County Conservancy, for the Borough Farm Tract, effective November 25, 2013, through November 24, 2018, in the amount of $1.00. Passed by unanimous vote.

Under Miscellaneous, President Snyder noted the following vacancies:

- 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 8:19 p.m. to discuss personnel matters. The Executive Session ended and the meeting reconvened at 8:54 p.m. No action was taken.

A motion was made by Mr. Mace, seconded by Ms. Birckbichler, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:55 p.m.
Kevin Snyder and Andrea Rahn hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from August 16, 2013 to September 12, 2013, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

_____________________________  _________________
Kevin Snyder                          Andrea Rahn