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; Police Chief Craig Summers; Kutztown University Student Ambassador to Council, Cole Mitchell; Kutztown University Student Ambassador to the Mayor, Patrick Moyer; Borough Planning Commission representative Lisa Ladd-Kidder; Maxatawny Township representative Steve Wilson; Kutztown Fire Company representatives Eric Diehl and Robert Hauck; Kutztown Community Partnership representative Nancy Brooks; The Keystone Press representatives Andrew Kutzer, Jillian Baker and Laura Quain; Northeastern Berks Emergency Medical Service representative Amy Evans; Boy Scouts David Moyer and David Moyer, Jr.; Kutztown Area Transport Services representative Rodney Freeman; residents Edna Kramer, Dale Kramer, Suzanne and Mike Barron, Ladd Forsline, Mac Eidle, Kenneth Kern, Allison Fuller and Archie Follweiler; and Mr. Ron Devlin and Ms. Lauren Chandler, reporters for the Reading Eagle, were also present.

Mayor Green read aloud and presented the Life Saving Award and Resolution to Officer Jacob Auman.

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

RESOLUTION NO. 15-2016

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA TO AFFIRM THE RECOMMENDATION OF THE AWARDS REVIEW BOARD TO AWARD THE LIFE SAVING AWARD TO KUTZTOWN BOROUGH POLICE DEPARTMENT PATROL OFFICER JACOB T. AUMAN.

WHEREAS, Kutztown Borough Police Department Standard Operating Procedure 2011-04 provides for the recognition of Police Officers who perform their duties in a manner beyond that which is normally expected; and

WHEREAS, the recognition of Police Officers is done by awards; and

WHEREAS, Standard Operating Procedure 2011-4 requires that the Council of the Borough of Kutztown affirm by Resolution a recommendation by the Awards Review Board; and

WHEREAS, the Awards Review Board has recommended that Kutztown Borough Police Department Patrol Officer Jacob T. Auman be awarded the LIFE SAVING AWARD for performing an act in the line of duty, through prompt and alert actions, resulting in the saving of a life during a cardiac arrest incident on August 8, 2016, within the Borough of Kutztown.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown to award the LIFE SAVING AWARD to Kutztown Borough Police Department Patrol Officer Jacob T. Auman.

This Resolution shall become effective on September 20, 2016.

DULY ADOPTED AS A RESOLUTION this 20th day of September, 2016 by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

Mayor Green read aloud the Life Saving Award and Resolution for Officer Charles Lawson, who was not in attendance.

A motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To adopt the following Resolution:
RESOLUTION NO. 16-2016

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA TO AFFIRM THE RECOMMENDATION OF THE AWARDS REVIEW BOARD TO AWARD THE LIFE SAVING AWARD TO KUTZTOWN BOROUGH POLICE DEPARTMENT PATROL OFFICER CHARLES J. LAWSON.

WHEREAS, Kutztown Borough Police Department Standard Operating Procedure 2011-04 provides for the recognition of Police Officers who perform their duties in a manner beyond that which is normally expected; and

WHEREAS, the recognition of Police Officers is done by awards; and

WHEREAS, Standard Operating Procedure 2011-4 requires that the Council of the Borough of Kutztown affirm by Resolution a recommendation by the Awards Review Board; and

WHEREAS, the Awards Review Board has recommended that Kutztown Borough Police Department Patrol Officer Charles J. Lawson be awarded the LIFE SAVING AWARD for performing an act in the line of duty, through prompt and alert actions, resulting in the saving of a life during a cardiac arrest incident on August 8, 2016 within the Borough of Kutztown.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown to award the LIFE SAVING AWARD to Kutztown Borough Police Department Patrol Officer Charles J. Lawson.

This Resolution shall become effective on September 20, 2016.

DULY ADOPTED AS A RESOLUTION this 20th day of September, 2016 by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

Mayor Green noted that this was the second Life Saving Award for Officer Lawson this year, and Chief Summers noted that the department has saved a total of four lives so far this year.

Mayor Green read aloud and presented the Resolution recognizing and commending Suzanne Barron for her contributions to the Borough’s Emergency Management Center.
A motion was made by Mr. Mace, seconded by Ms. Devlin, Resolved, To adopt the following Resolution:

RESOLUTION NO. 17-2016

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, RECOGNIZING AND COMMENDING SUZANNE BARRON FOR HER CONTRIBUTIONS TO THE BOROUGH OF KUTZTOWN’S EMERGENCY MANAGEMENT CENTER.

WHEREAS Suzanne Barron provided Operations Support for the Borough of Kutztown’s Emergency Management Center and she retired effective December 31, 2015; and

WHEREAS Suzanne Barron faithfully served as a volunteer for the Emergency Management Center for five and a half years; and

WHEREAS Suzanne Barron proudly and unselfishly assisted the Emergency Management Coordinator and performed all duties ably and effectively.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Kutztown Borough Council, on behalf of all Borough employees, officials and citizens, recognize and commend Suzanne Barron for her dedicated volunteer service to the Borough of Kutztown.

DULY ADOPTED AS A RESOLUTION this 20th day of September, 2016, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

President Snyder recognized Dale Kramer for 39 years of dedicated service in the Borough Water Department and presented him with a clock plaque.

Mr. Mace announced that Troy Arndt was unable to attend to receive his award for 10 years of dedicated service as Kutztown Fire Chief.

President Snyder recognized Robert Hauck for 15 years of dedicated service as Kutztown Fire Chief and presented him with a clock plaque.
Mac Eidle announced that Charles Leibensperger was unable to attend to receive his award for 19 years of dedicated service as Kutztown Fire Chief.

Main Street Manager, Nancy Brooks, gave a presentation on behalf of the Kutztown Community Partnership (KCP) and asked Council for funding consideration in 2017, as well as for assistance in executing a grant for KCP.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To authorize the appropriate Borough officials to execute the documents needed for the KCP’s grant application. Passed by unanimous vote.

President Snyder and Mr. Mace commended the Kutztown Community Partnership for all of their work.

Mayor Green introduced and welcomed the new Kutztown University Student Ambassador to the Mayor, Patrick Moyer.

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 Mr. Mace, Resolved, To approve the Consent Agenda, consisting of the following items:

- Review and accept the Minutes of the August 16, 2016 Borough Council meeting.
- Review and accept the Borough Community Development Report for August, 2016.
- Take action to approve the payment to Berks Nature, for Wellhead Protection implementation, in the amount of $15,000.00.
- Take action to approve Payment No. 1 (final payment), to I.K. Stoltzfus Service Corp. for work completed on the Anaerobic Digester Insulation Replacement Project, in the amount of $197,822.00, contingent upon completion of the punch list items.
• Take action to approve Payment No. 1 (final payment), to Hygrade Insulators, Inc., for work completed on the Anaerobic Digester Insulation Replacement Project, in the amount of $90,000.00.

• 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 13, 2016 through September 16, 2016, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$278,231.39</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$65,757.82</td>
</tr>
<tr>
<td>Fire Protection Tax Fund</td>
<td>$137.16</td>
</tr>
<tr>
<td>Recreation Tax Fund</td>
<td>$271.75</td>
</tr>
<tr>
<td>Road Tax Fund</td>
<td>$548.80</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$117,227.23</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$345,084.38</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$119,553.79</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$85,462.45</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.

Under Community Development and Public Safety Committee, the Monthly Police Report for August 2016 was submitted.

The following fines were collected:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Justice Greth</td>
<td>$3,917.67</td>
<td>June, 2016</td>
</tr>
<tr>
<td>Clerk of Common Pleas</td>
<td>$1,107.91</td>
<td>June, 2016</td>
</tr>
<tr>
<td>Secretary’s Office</td>
<td>$1,575.00</td>
<td>July, 2016</td>
</tr>
</tbody>
</table>

Mr. Piscitelli noted that the originally reported number for District Justice Greth, $5,222.30, was inaccurate, and he provided the correct number – $3,917.67.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To introduce and authorize advertisement of the proposed Ordinance amending Chapter 212 of the Code of the Borough of Kutztown, which is entitled Vehicles and Traffic. Passed by unanimous vote.
Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To execute the Maintenance and Easement agreement with Jodi Follweiler. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Mace seconded by Ms. Devlin, Resolved, To rescind the previously approved Maintenance and Easement agreement with Jodi Follweiler. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the request from the Kutztown Optimist Club to hold Downtown Trick-or-Treat night on October 26, 2016, with a rain date of October 28, 2016. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve Payment No. 2 to Hannahoe Painting for the Train Station project. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the Traffic Signal Maintenance Contract with Signal Service, Inc. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve Payment No. 1, to EJB Paving for the East Main Street Improvements project, in the amount of $381,043.57. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To approve Change Order No. 3, to EJB Paving for the East Main Street Improvements project, in the amount of $41,400.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To
approve May 20 and September 16 as the Borough’s 2017 electronics recycling event dates and to pay RRS to hold the events. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To approve the request from Allison Fuller to use the Scooter Building on September 24, 2016. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from the Allentown and Auburn Railroad to add an old time ticket window in the Train Station. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To authorize Ammon Zimmerman to demolish the Roller Rink, with regret, per his estimate of $12,000.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To ratify approval of the lease agreement allowing the Kutztown/Brandywine Youth Football and Cheer Association to run the Babe Ruth Field snack bar. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To ratify approval of the request from the Kutztown/Brandywine Youth Football and Cheer Association to use the multipurpose field for games from September 10, 2016, through the end of November 2016. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To appoint Troy Smith as acting Water Plant Manager. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To adopt the following Resolution:
RESOLUTION NO. 18-2016


WHEREAS, the members of the Council of the Borough of Kutztown, Berks County, Pennsylvania were notified on September 20, 2016 of the 2017 Minimum Municipal Obligation for the Police Pension Plan, after consulting with the Plan's actuary; and

WHEREAS, the calculation of the 2017 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 2017.

NOW, THEREFORE, BE IT RESOLVED, that a five percent contribution is required to be made into the Police Pension Fund for the calendar year 2017, 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 2017, 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 20th day of September, 2016.

Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To accept the resignation of Paul Vasko from the Zoning Hearing Board. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To accept the resignation of Amanda Raudenbush from the Borough Planning Commission. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To
appoint Amanda Raudenbush as a member of the Zoning Hearing Board, whose term will expire on January 1, 2018. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To

appoint Shireen (Massoudi) DeNault as a member of the Environmental Advisory Commission, whose term shall expire on January 1, 2017. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To

reappoint Lisa Ladd-Kidder as a member of the Borough Planning Commission, whose term shall expire on October 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To

reappoint Erma Bond as a member of the Housing License Appeals Board, whose term shall expire on October 1, 2017. Passed by unanimous vote.

Ms. Devlin noted that the Non-Uniform 2017 Minimum Municipal Obligation is $326,278 and the Uniformed Minimum Municipal Obligation is $81,099.

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

Under Finance and Electric Committee, Mr. Khalife gave a presentation of the 2016 year-to-date budget and the 2017 budget, which included information regarding the following topics: Service/Utility Performance; General Fund, 2016 Projects; 2017 Budget and General Fund Breakdown; Real Estate Tax Comparisons; Projects Looking Forward; and Generation Overlap versus Generation Gap.

A motion was made by Mr. Mace, seconded by Ms. Devlin, Resolved, To execute the Collection Agency Agreement between the Borough and Allied Commercial Financial Systems. Passed by unanimous vote.
Under Telecommunications and Information Technologies Committee, there was nothing to report.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To approve a sewer credit, for 48 S. Laurel Street, in the amount of $97.17. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To approve a sewer credit, for 321 W. Main Street, in the amount of $49.93. 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. 3–2016**

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE ACQUIRING OF THE SAUCONY CREEK REGIONAL AUTHORITY SEWAGE TREATMENT PLANT ("SCRA PLANT"), AND CERTAIN RELATED ASSETS FOR THE PURPOSE OF CONVEYING SAME TO KUTZTOWN MUNICIPAL AUTHORITY ("KMA"), WHICH SHALL PROVIDE SEWAGE TREATMENT SERVICES TO PROPERTIES OUTSIDE THE BOUNDARIES OF THE BOROUGH OF KUTZTOWN PURSUANT TO THE POWERS GRANTED TO KMA BY THE MUNICIPALITY AUTHORITIES ACT.

Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Ms. Devlin, Resolved, To execute the Agreement for Service between the Borough and the Kutztown Community Library, Inc. Passed by unanimous vote.

President Snyder noted the following vacancies:
President Snyder called for an Executive Session at 8:23 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 8:35 p.m.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To approve the police contract for the next three years. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:36 p.m.

Kevin Snyder and Gina Wiand hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from August 13, 2016 through September 16, 2016, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.