A regular meeting of the Kutztown Borough Council was called to order at
7:32 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. David
Horvath, Information Technologies Coordinator; Mr. Daniel Eslinger, Director of
Community Development/Zoning Officer; Police Chief Craig Summers; Kutztown
Community Partnership representatives Diane Piscitelli and Amanda Verrastro; Ms. Lisa
Mitchell, reporter for the Kutztown Area Patriot; and Mr. Steve DeLucas, reporter for the
Reading Eagle were also present.

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

- Review and accept the Minutes of the November 20, 2012 Borough Council
  meeting.

- Review and accept the Borough Community Development Report for November,
  2012.

- 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 November 9, 2012 to December 13, 2012, as summarized below:

- General Fund: $420,421.30
- Refuse and Recycling Fund: $50,540.22
- Water Fund: $179,672.54
- Electric Fund: $543,786.09
- Sewer Fund: $266,068.18
- Telecommunications Fund: $53,808.68

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:

- District Justice Greth: October, 2012, $9,249.27
- Clerk of Common Pleas: October, 2012, $185.42
- Secretary’s Office: November, 2012, $7,500.00

Off of the agenda, Chief Summers addressed Council regarding the Borough’s preparedness for a tragedy such as the school shooting in Connecticut.

Under Public Works Committee, Council discussed the request from Vickie Held, from Autism Speaks, to hold a fundraiser car show in the Kutztown Park on May 4, 2013, and to waive the rental fees for the Brick and Flora Pavilions. Mr. Schlegel stated that because the organization was unable to obtain insurance for the event, it could not be allowed. Mr. Eidle suggested that another civic group might be able to help with insurance. No action was taken.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To execute the 2013 disposal contract with Delaware County Solid Waste Authority,
pertaining to tipping by the Borough at Rolling Hills Landfill. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Schlegel, Resolved, To approve the estimate from Martin Roofing to replace the park restaurant roof. Passed by unanimous vote.

Mr. Eidle suggested getting a price on 50-year shingles for the new park restaurant roof.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To approve the proposals from Pro Max for fence repairs at the pool, in the amount of $1,770.00, and at Pump Station 2, in the amount of $1,535.00. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Eidle, Resolved, To approve the 2012-2013 Snow Program. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To ratify the auction sale of the Borough refuse truck, to Robert Shaw, at a cost of $32,100.00. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To approve the request from John Schmoyer to increase the length of the contract for the park and pool concessionaire lease, from two years to five years, for the 2013-2014 season. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To appoint Joanne Yoder as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2016. Passed by unanimous vote.
A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Jeri Carroll as a member of the Environmental Advisory Commission, whose term shall expire January 1, 2016. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Birckbichler, Resolved, To reappoint Karen Feridun as a member of the Environmental Advisory Commission, whose term shall expire January 1, 2016. Passed by unanimous vote.

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

Off of the agenda, a motion was made by Mr. Seyler, seconded by Mr. Eidle, Resolved, To authorize the Borough Manager to process the application for state workers compensation coverage for the Kutztown Fire Company. Passed by unanimous vote.

Under Finance and Electric Committee, a motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To adopt the 2013 budget. Passed by unanimous vote.

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

ORDINANCE NO. 7-2012

Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To authorize Berks County to bill the Borough of Kutztown for half the costs incurred for the tax billing and mailing process. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Schlegel, Resolved, To
authorize the appropriate Borough officials to auction off a digger derrick truck with a reserve minimum amount of $20,000.00. Passed by unanimous vote.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To approve the request from the Kutztown Community Partnership to increase the Borough’s annual contribution, from $5,000.00 per year for the next three years, to $20,000.00 per year for the next three years (per their letter). All in favor, except Mr. Seyler, who voted Nay. There being a majority in favor, the motion passed.

A motion was made by Mr. Eidle, seconded by Mr. Mace, Resolved, To execute the power contract relating to the EPPG rate proposal in the event that a decision must be made prior to the January Council meeting. Passed by unanimous vote.

Under Telecommunications and Information Technologies Committee, a motion was made by Ms. Birckbichler, seconded by Mr. Schlegel, Resolved, To introduce and authorize advertisement of the proposed Resolution amending the fees associated with the Borough’s provision of video, television, Internet and telephone services as provided for in Chapter 110 of the Kutztown Code. Passed by unanimous vote.

A motion was made by Ms. Birckbichler, seconded by Mr. Schlegel, Resolved, To accept the Shields Environmental, Inc. proposal, to the Telecommunications and Information Technology Department, for asset recovery and recycling. Passed by unanimous vote.

A motion was made by Ms. Birckbichler, seconded by Mr. Schlegel, Resolved, To execute the contract for "Business in a Box" with CHR Solution Services. Passed by unanimous vote.

A motion was made by Ms. Birckbichler, seconded by Mr. Schlegel, Resolved,
To approve the request to assist the Kutztown Fire Company with renovations and computerization, including the replacement of computers and assistance with wiring and computer integration with Borough computer services, in an amount not to exceed $5,000.00. Passed by unanimous vote.

Mr. Schlegel noted that the Kutztown Fire Company will put up signs advertising that their services are provided by Home Net.

Under Water and Wastewater Committee, a motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve payment #2 to Wickersham Construction and Engineering, Inc., for work completed at the Wastewater Treatment Plant, in the amount of $120,240.00. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve the sewer credit request for 300 West Main Street in the amount of $939.98. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve the purchase of a HACH SCM Analyzer, under COSTARS, in the amount of $12,701.18. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To approve the proposal from SSM Group for additional GIS services, which include: sanitary sewer, storm sewer and drinking water location data – $21,800.00; Open manholes for sanitary sewer and storm sewer attribution data collection – $17,800.00; Electric Department continued support – $8,700.00; and Highway Department GIS – $6,700.00. Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To
approve the additional fee of $24,400.00 that Entech is seeking for its efforts completed beyond those identified in the RFP as well as $15,000.00 for stormwater management/NPDES and $9,500.00 for municipal approvals. Passed by unanimous vote.

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

RESOLUTION NO. 19-2012


WHEREAS, the Borough of Kutztown (the “Borough”) is a Pennsylvania municipal corporation organized and existing pursuant to the Borough Code of the Commonwealth of Pennsylvania, as adopted on February 1, 1965, P.L. 1656, No. 581, as amended and supplemented from time to time; and

WHEREAS, the Borough owns and manages a water distribution system which provides potable water to the residents of the Borough of Kutztown; and

WHEREAS, the Borough has amended certain charges for the distribution and supply of water to its residents as previously set forth in Resolution 21-2011 adopted on December 20, 2011, by the Borough Council of the Borough of Kutztown.

NOW, THEREFORE, it is hereby resolved by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, as follows:

SECTION 1. The rates and charges associated with the distribution and supply of potable water to the residents and businesses of the Borough of Kutztown shall be as set forth below, until such time as further amended by Resolution of the Borough Council:

Section 1. The charge for the consumption of water provided by the Borough to its residents shall be a monthly charge for each calendar month, payable as hereinafter provided, computed as set forth in Section 1 (a) below:

(a) The monthly charge to each consumer account shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid monthly by each water customer account, in the amount of Eleven Dollars and Eighteen Cents ($12.86).
2. An “equivalent dwelling unit” (hereinafter “EDU”) charge to each account customer served, to be calculated as follows:

   \[ \text{EDU Charge} = \$4.93 \times \left( \frac{\text{Customer Usage}}{\text{Annualized Average System EDU Equivalent}} \right) \]

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the average of the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding calendar year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

3. A “consumption” charge for water consumption by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows:

   A. The first 250,000 gallons or less per month
      \[ \$5.04 \text{ per 1,000 gallons} \]

   B. The next 500,000 gallons or less per month
      \[ \$5.13 \text{ per 1,000 gallons} \]

   C. The next 1,000,000 gallons or less per month
      \[ \$5.20 \text{ per 1,000 gallons} \]

   D. The next 2,000,000 gallons or less per month
      \[ \$5.30 \text{ per 1,000 gallons} \]

   E. The next 4,000,000 gallons or less per month
      \[ \$5.39 \text{ per 1,000 gallons} \]

   F. The water consumption shall be measured by a meter or meters installed by the Borough, and all bills shall be calculated upon the basis of the registration of such meter or meters. If a meter ceases to register or is found defective, the quantity of water consumed shall be determined by taking the average water consumption during the one year or lesser period if water service had not been furnished for a period of one year.

Section 2. The charge for the consumption of water provided by the Borough to Kutztown Municipal Authority shall be a monthly charge for each calendar month, payable as hereinafter provided, computed as set forth in Section 2 (a) below:

   (a) The monthly charge to Kutztown Municipal Authority shall be the sum of the following charges:
1. A “ready to serve” flat charge to be paid monthly to be calculated by multiplying the amount of $12.86 by the number of customer water accounts of the Kutztown Municipal Authority utilizing Borough of Kutztown Water Capacity.

2. An “equivalent dwelling unit” (hereinafter “EDU”) charge to each account customer served, to be calculated as follows:

\[
\text{EDU Charge} = 4.93 \times \left( \frac{\text{Customer Usage}}{\text{Annualized Average System EDU Equivalent}} \right)
\]

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the average of the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding calendar year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

3. A “consumption” charge for water consumption by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows:

A. The first 250,000 gallons or less per month $5.13 per 1,000 gallons

B. The next 500,000 gallons or less per month $5.20 per 1,000 gallons

C. The next 1,000,000 gallons or less per month $5.29 per 1,000 gallons

D. The next 2,000,000 gallons or less per month $5.39 per 1,000 gallons

E. The next 4,000,000 gallons or less per month $5.49 per 1,000 gallons

F. The water consumption shall be measured by a meter or meters installed by the Authority, and all bills shall be calculated upon the basis of the registration of such meter or meters. If a meter ceases to register or is found defective, the quantity of water consumed shall be determined by taking the average water consumption during the one year or lesser period if water service had not been furnished for a period of one year.

Section 3. Water Meter Test. In the event that any customer or resident of the Borough desires to have their water meter tested to determine the validity or accuracy of same the charges for such test shall be $50.00.
Section 4. Fire Hydrant Rental.

(a) the fees for monthly rental shall be as set forth in Sections 4 (a) (1) and (2) below:

1. A Rental of Thirty-nine and 60/100 Dollars ($39.60) per month is hereby imposed for each fire hydrant connected to the water distribution system of the Borough of Kutztown, whether such hydrant is located upon private property or located and placed along public streets and alleys, within the corporate boundary limits of the Borough of Kutztown.

2. A rental of Forty and 25/100 Dollars ($40.25) is hereby imposed on the Kutztown Municipal Authority for each fire hydrant connected to the water distribution system of the Kutztown Municipal Authority and as to which the Borough of Kutztown furnishes the water capacity and supply.

Section 5. Sprinkler Systems.

1. The monthly charge for the furnishing of stand-by fire protection to a consumer’s property, served by means of sprinkler systems served by the Borough of Kutztown, in addition to any other charge imposed by these regulations, shall be as follows:

<table>
<thead>
<tr>
<th>Service Line Diameter (inches)</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$5.00</td>
</tr>
<tr>
<td>1 ½</td>
<td>$7.50</td>
</tr>
<tr>
<td>2</td>
<td>$11.25</td>
</tr>
<tr>
<td>3</td>
<td>$16.85</td>
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<tr>
<td>4</td>
<td>$25.25</td>
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<tr>
<td>6</td>
<td>$37.85</td>
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<tr>
<td>8</td>
<td>$56.75</td>
</tr>
<tr>
<td>10</td>
<td>$85.15</td>
</tr>
<tr>
<td>12</td>
<td>$127.75</td>
</tr>
</tbody>
</table>

2. The monthly charge to be imposed upon the Kutztown Municipal Authority for furnishing of stand-by fire protection to a consumer’s property, served by means of sprinkler systems served by the Kutztown Municipal Authority, in addition to any other charge (including those for consumption) imposed by these regulations, shall be as follows:

<table>
<thead>
<tr>
<th>Service Line Diameter (inches)</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$5.50</td>
</tr>
<tr>
<td>1 ½</td>
<td>$8.25</td>
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<tr>
<td>2</td>
<td>$12.40</td>
</tr>
<tr>
<td>3</td>
<td>$18.55</td>
</tr>
<tr>
<td>4</td>
<td>$27.75</td>
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<tr>
<td>6</td>
<td>$41.65</td>
</tr>
<tr>
<td>8</td>
<td>$62.40</td>
</tr>
<tr>
<td>10</td>
<td>$93.65</td>
</tr>
<tr>
<td>12</td>
<td>$140.50</td>
</tr>
</tbody>
</table>

Section 6. Reconnections.
(a) In the event that water service to a consumer has been terminated, the fee for reconnection to the Borough’s water system shall be as follows and payable in full prior to reconnection:

1. Reconnections performed during the normal workday hours of the Borough shall equal the sum total of the following:
   (a) Reconnection fee of $15.00.
   (b) Utilities Division labor: one-hour labor rate (as established by § A231-2, as amended from time to time by Resolution).
   (c) Truck time (using pickup truck): one-half hour equipment rate (as established by § A231-2, as amended from time to time by Resolution).
   (d) The sum total of Subsection 6(a)(1) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.
   (e) Plus delinquent bill (if any).

2. Reconnections performed after the normal workday hours of the Borough shall equal the sum total of the following:
   (a) Reconnection fee of $35.00.
   (b) Utilities Division labor: two-hour labor rate at the overtime rate (as established by § A231-2, as amended from time to time by Resolution).
   (c) Truck time (using pickup truck): one-half hour equipment rate (as established by § A231-2, as amended from time to time by Resolution).
   (d) The sum total of Subsection 6 (a)(2) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.
   (e) Plus delinquent bill (if any).

SECTION 2. This Resolution and the rates set forth herein shall become effective commencing with all consumption and charges included in the monthly billing for the period commencing on January 1, 2013, and for each calendar month thereafter. The Borough Council shall have the right, however, to make such changes from time to time as in the opinion of the Borough Council may be desirable or beneficial and the Borough Council shall have the right to amend this Resolution or change the rates of charge in such manner and at such times as in the opinion of the Borough Council may be desirable.

SECTION 3. If any of the provisions, sections, sentences, clauses or parts of this Resolution or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Resolution, it being the intention of the Borough Council that such remainder shall be and remain in full force and effect.

SECTION 4. All Resolutions or parts of Resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED as a Resolution by the Council of the Borough of Kutztown,
Berks County, Pennsylvania, in lawful session duly assembled this 18th day of December, 2012.

Passed by unanimous vote.

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

RESOLUTION NO. 20-2012


WHEREAS, the Borough of Kutztown (the “Borough”) is a Pennsylvania municipal corporation organized and existing pursuant to the Borough Code of the Commonwealth of Pennsylvania, as adopted on February 1, 1965, P.L. 1656, No. 581, as amended and supplemented from time to time; and

WHEREAS, the Borough owns and manages a sanitary sewer collection and treatment system which collects and treats wastewater produced by the residents and businesses within the Borough of Kutztown; and

WHEREAS, the Borough has amended the service rates and fees associated with the collection and treatment of domestic sewage and industrial sewage collected within its sewer system and treated on behalf of its customers as previously set forth in Resolution 22-2011, adopted on December 20, 2011 by the Borough Council of the Borough of Kutztown; and

WHEREAS, the Borough desires to further amend the service rates and fees associated with the collection and treatment of domestic sewage and industrial sewage collected within its sewer system and treated on behalf of its customers by altering the definition of Average System EDU Equivalent by expressing it as a definitive twelve (12) month period, rather than a rolling twelve (12) month period.

NOW, THEREFORE, it is hereby resolved by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, as follows:

SECTION 1. The charges for the collection and treatment of sewer and wastewater in the Borough of Kutztown shall be as set forth below, until such time as amended by Resolution by the Borough Council:
SECTION 1
CHARGES FOR DOMESTIC SEWAGE

The charge for collection and treatment of Domestic Sewage and Industrial Sewage discharged into the Sewer System shall be a monthly charge for each calendar month, payable as hereinafter provided, computed as set forth in Section 1 (a), (b), (c) and (d) below.

(a) The monthly charge to each consumer account shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid monthly by each sewer customer account, in the amount of Six and 30/100 Dollars ($6.93).

2. An “equivalent dwelling unit” (hereinafter “EDU”) charge to each account customer served, to be calculated as follows:

   EDU Charge = $12.58 \times \frac{\text{Customer Usage}}{\text{Annualized Average System EDU Equivalent}}

   where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding calendar year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

3. A “consumption/treatment” charge for sewage discharged by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows:

   A. The first 250,000 gallons or less per month $3.96 per 1,000 gallons
   B. The next 500,000 gallons or less per month $4.35 per 1,000 gallons
   C. The next 1,000,000 gallons or less per month $5.09 per 1,000 gallons
   D. The next 2,000,000 gallons or less per month $6.61 per 1,000 gallons
   E. The next 4,000,000 gallons or less per month $9.61 per 1,000 gallons

(b) The monthly charge to the Kutztown Municipal Authority shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid monthly to be calculated by multiplying the amount of Six and 30/100 Dollars ($6.93) by the number of user accounts of the Kutztown Municipal Authority which are served by discharging to the Borough of Kutztown sewage system.
2. An “equivalent dwelling unit” (hereinafter “EDU”) charge to each account customer served, to be calculated as follows:

\[
\text{EDU Charge} = \frac{12.58 \times \text{(Customer Usage ÷ Annualized Average System EDU Equivalent)}}{\text{Annualized Average System EDU Equivalent}}
\]

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding calendar year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

3. A “consumption/treatment” charge for sewage discharged based upon water consumption metered at the user’s unit or user’s premises, for each Kutztown Municipal Authority customer, to be calculated as follows:

- **A.** The first 250,000 gallons or less per month
  - $4.13 per 1,000 gallons

- **B.** The next 500,000 gallons or less per month
  - $4.48 per 1,000 gallons

- **C.** The next 1,000,000 gallons or less per month
  - $5.20 per 1,000 gallons

- **D.** The next 2,000,000 gallons or less per month
  - $6.67 per 1,000 gallons

- **E.** The next 4,000,000 gallons or less per month
  - $9.66 per 1,000 gallons

**SECTION 2. Reconnections.**

(a) In the event that sanitary sewer service to a consumer has been terminated, the fee for reconnection to the Borough’s sewer system shall be as follows and payable in full prior to reconnection:

1. Reconnections performed during the normal workday hours of the Borough shall equal the sum total of the following:
   - (a) Reconnection fee of $15.00.
   - (b) Utilities Division labor: one-hour labor rate (as established by § A231-2, as amended from time to time by Resolution).
   - (c) Truck time (using pickup truck): one-half hour equipment rate (as established by § A231-2, as amended from time to time by Resolution).
The sum total of Subsection 2(a)(1) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.

Plus delinquent bill (if any).

2. Reconnections performed after the normal workday hours of the Borough shall equal the sum total of the following:

- Reconnection fee of $35.00.
- Utilities Division labor: two-hour labor rate at the overtime rate (as established by § A231-2, as amended from time to time by Resolution).
- Truck time (using pickup truck): one-half hour equipment rate (as established by § A231-2, as amended from time to time by Resolution).

The sum total of Subsection 2(a)(2) (a), (b) and (c) which shall be rounded up to the nearest whole dollar.

Plus delinquent bill (if any).

SECTION 3. This Resolution and the rates set forth herein shall become effective commencing with all consumption and charges included in the monthly billing for the period commencing on January 1, 2013, and for each calendar month thereafter. The Borough Council shall have the right, however, to make such changes from time to time as in the opinion of the Borough Council may be desirable or beneficial and the Borough Council shall have the right to amend this Resolution or change the rates of charge in such manner and at such times as in the opinion of the Borough Council may be desirable.

SECTION 4. If any of the provisions, sections, sentences, clauses or parts of this Resolution or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Resolution, it being the intention of the Borough Council that such remainder shall be and remain in full force and effect.

SECTION 5. All Resolutions or parts of Resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled this 18th day of December, 2012.

Passed by unanimous vote.

A motion was made by Mr. Schlegel, seconded by Mr. Mace, Resolved, To authorize the Water and Wastewater Superintendent to prepare and advertise the sludge hauling bids for the period of March 2013 through March 2015. Passed by unanimous vote.
A motion was made by Mr. Schlegel, seconded by Mr. Seyler, Resolved, To authorize RBC to process the Bond Issue for the Water Treatment Plant upgrades. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Schlegel, seconded by Ms. Birckbichler, Resolved, To accept and authorize advertisement of the proposed meeting schedule for 2013. Passed by unanimous vote.

President Snyder noted the following vacancies:

- Kutztown Transportation Authority: One Member Vacancy
- Borough Planning Commission: One Member Vacancy
- 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: Three Member Vacancies
- Telecommunications Advisory Commission: Two Member Vacancies

President Snyder called for an Executive Session at 8:29 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 9:08 p.m.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To appoint Steve Diehl as the Electric Superintendent, with a base salary of $66,000.00 per year. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Schlegel, Resolved, To appoint Brian Bailey as the Public Works Superintendent, with a base salary of $57,000.00 per year. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To provide a two percent increase for Confidential and Community Service Officer II employees.
Passed by unanimous vote.

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 9:10 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 November 9, 2012 to December 13, 2012, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

_____________________________  _____________________________
Kevin Snyder     Gina M. Wiand