

December 19, 2017
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:31 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, Mr. Richard Diehm, Mr. Scott Piscitelli, Ms. Peggy Devlin and the Mayor, Ms. Sandra Green. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Andrea Rahn, Assistant Borough Secretary; Mr. Craig Summers, Kutztown Borough Police Chief; Mr. Raymond Schell, Kutztown Borough Police Sergeant; Mr. Karl Schemberg, Kutztown Borough Police Corporal; Mr. Charles Lawson, Kutztown Borough Police Officer; Pennsylvania State Senator Judy Schwank; White Dog Properties representative Mark Federov; Kutztown Fire Company representatives Eric Diehl, Dale Rothermel, Michael Russo, Todd Evans and Don Battista; Environmental Advisory Commission representative Jeri Carroll; Kutztown Area Transport Services representative Rodney Freeman; Northeastern Berks Emergency Medical Services representative Doug Demchyk; Kutztown Area Middle School teachers Shelby Brett and Jennifer Wyland; residents James Schlegel, Arabel Elliott and Warren Shaub; and Ms. Lisa Mitchell, reporter for the Reading Eagle was also present.

Off of the agenda, Mayor Green was presented with several accolades commemorating her tenure as mayor.

Senator Judy Schwank read aloud and presented Mayor Green with a Congratulatory Citation from the Senate of Pennsylvania; Police Chief Craig Summers and other members of the Borough Police Department presented Mayor

Green with a plaque, card and gift from the entire department; Borough Manager Gabriel Khalife presented Mayor Green with a framed newsletter article celebrating her time as mayor; and Council President Kevin Snyder presented Mayor Green with a Key to the Town.

After receiving her awards, Mayor Green thanked everyone for the recognition and for working with her over the last 12 years. She said that she loves Kutztown and she loved being mayor, but she will now start a new chapter in her life. She also said that the Borough has a good new mayor and that he is also very passionate about Kutztown.

President Snyder thanked Peggy Devlin for her four years on Borough Council and he presented her with a commemorative clock plaque.

President Snyder asked if there was anyone who wished to address Council before proceeding with the agenda. Borough resident Warren Shaub requested time to speak with Council concerning issues with some residents/neighbors. President Snyder recommended that he attend a Community Development and Public Safety Committee meeting to review and discuss his concerns.

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

Review and accept the Minutes of the November 21, 2017 Borough Council meeting.

Review and accept the Borough Community Development Report for November, 2017.

Take action on the request from the Kutztown Community Choir for the use of the Bandshell, for its annual “Flag Day Concert” on June 12, 2018, at

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7:30 p.m., and to waive the associated rental fees and insurance requirements.

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 18, 2017, through December 15, 2017.

Passed by unanimous vote.

Under Borough Planning Commission, there was nothing to report.

Under Environmental Advisory Commission (EAC), Jeri Carroll presented the EAC Stewardship Award to Kutztown Middle School teachers Shelby Brett and Jennifer Wyland for their leadership in enhancing the environment around the school and removing evasive plants and trash around the Sacony Creek Trail.

President Snyder called for an Executive session at 7:51 p.m. to discuss personnel and legal matters.

The Executive Session ended and the meeting reconvened at 8:01 p.m. No action was taken.

Under Community Development and Public Safety Committee, the Monthly Police Report for November, 2017 was submitted.

The following fines were collected:

District Justice Greth	October, 2017	\$8,327.25
Clerk of Common Pleas	October , 2017	\$277.18
Secretary's Office	November, 2017	\$6,500.00

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To approve the Optimist Club's parade permit application for the Fools Run, to be held on March 24, 2018, from 8:30 a.m. to 12 noon. Passed by unanimous vote.

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

adopt the following Resolution:

RESOLUTION NO. 20-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, PROHIBITING CATEGORY 4 CASINOS IN THE BOROUGH OF KUTZTOWN.

WHEREAS, Pennsylvania Legislative Act 42 of 2017, 4 Pa.C.S. Section 1305.1 (a.1) entitled "Municipal Option" authorizes a municipality to prohibit, or opt-out of having a Category 4 casino located within its municipality; and

WHEREAS, a Category 4 license will allow a mini-casino to operate between 300-750 slot machines and up to 50 table games; and

WHEREAS, Act 42 of 2017 requires any municipality that wants to exercise the municipal opt-out enact a Resolution after October 31, 2017, and before December 31, 2017, at a duly advertised public meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of Kutztown, Berks County, Pennsylvania, adopts this Resolution to prohibit a Category 4 casino within the boundaries of the Borough; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be delivered to the Board Secretary at the Pennsylvania Gaming Control Board no later than December 31, 2017.

THIS RESOLUTION DULY ADOPTED this 19th day of December, 2017, by the Borough Council of Kutztown, Berks County, Pennsylvania.

Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, to introduce and authorize the proposed Ordinance creating a three-way stop, stopping in all directions, at the intersection of North Elm Street and Seem Drive. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To award the bid for yard waste and dumpster

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service to Quality Disposal, in the total amount of \$67,500.00, for three years: \$21,500.00 in 2018; \$22,000.00 in 2019; and \$24,000.00 in 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To approve a \$500.00 donation to the Berks County Solid Waste Authority for 2018. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To adopt the proposed administrative pay scale and to award a 3% increase to the administrative staff and a 3% increase to the confidential staff. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To approve the following increases:

Wastewater Plant Manager	\$2,500.00
Electric Superintendent	\$2,500.00
Finance Director	\$2,000.00
Water Plant Manager	\$2,000.00
Recreation Director	\$1,000.00

Pool lifeguards, pool office clerks and seasonal laborers will receive a 2% increase. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To hire Robert Hriczko as a Police Officer, contingent upon passing all required clearances and a physical examination. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To appoint Christopher Walck as a member of the Telecommunications Advisory Commission, whose term shall expire January 1, 2020. Passed by unanimous vote.

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

reappoint Amanda Raudenbush as a member of the Zoning Hearing Board, whose term shall expire on January 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To reappoint Ben Carter, as a student member of the Environmental Advisory Commission, whose term shall expire on January 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To appoint Melissa Englehardt, as a member of the Environmental Advisory 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 Cathy Ruhf as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To reappoint Martin Smith as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To appoint Rebeka Birch as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To appoint Mindy Wagaman as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2021. Passed by unanimous vote.

Off of the agenda, a motion was made by Ms. Devlin, seconded by Mr.

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Seyler, Resolved, To appoint Matthew Hafer as the acting Community Development Director, with an additional salary of \$6,000.00. Passed by unanimous vote.

Under Finance and Electric Committee, a motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To approve the proposed budget for 2018. Passed by unanimous vote.

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

ORDINANCE NO. 5-2017

AN ORDINANCE OF THE BOROUGH OF
KUTZTOWN, COUNTY OF BERKS,
COMMONWEALTH OF PENNSYLVANIA
FIXING THE TAX RATE FOR THE YEAR
2018.

Note: There is no increase for 2018. Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Ms. Devlin, Resolved, To enter in to an agreement with Hutchinson, Gillahan and Freeh to perform the 2017 Borough audit. Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Ms. Devlin, 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. Mace, seconded by Mr. Seyler, Resolved, To approve the PSN (Payment Service Network) agreement. Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, to award the online bids received for six (6) used pad mount electric distribution transformers, to T&R Electric Supply Co., Inc., in the amount of \$4,600.00. Passed by unanimous vote.

Under Telecommunications and Information Technologies, a motion was made by Mr. Diehm, seconded by Ms. Devlin, Resolved, To approve the CBS/CW retransmission agreement. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To authorize Entech Engineering to apply for a PA small water grant, on behalf of the Borough of Kutztown, at a cost of \$2,800.00. Passed by unanimous vote.

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

RESOLUTION NO. 21-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, APPROVING THE SALE OF A 12 FOOT LONG I BEAM, TO AMMON ZIMMERMAN, FOR \$20.00.

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 a 12 foot long I beam, having a total estimated sale value of Twenty Dollars (\$20.00), to Ammon Zimmerman.

APPROVED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania in lawful, regular meeting duly assembled this 19th day of December, 2017.

Passed by unanimous vote.

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

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RESOLUTION NO. 22-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPERSEDING THE CHARGES FOR THE DISTRIBUTION AND SUPPLY OF WATER AS CURRENTLY SET FORTH IN RESOLUTION NO. 21-2016, ADOPTED ON DECEMBER 20, 2016, BY THE COUNCIL OF THE BOROUGH OF KUTZTOWN.

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 21-2016 adopted on December 20, 2016, 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 Seventeen Dollars and Seventy-Six Cents (\$17.76).

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

$$\text{EDU Charge} = \$6.81 \times (\text{Customer Usage} \div \text{Annualized Average System EDU Equivalent})$$

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 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
\$6.97 per 1,000 gallons
- B. The next 500,000 gallons or less per month
\$7.08 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month
\$7.18 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month
\$7.32 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month
\$7.45 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 Sixteen Dollars and Ninety-Two Cents (\$16.92) 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:

$$\text{EDU Charge} = \$6.81 \times (\text{Customer Usage} \div \text{Annualized Average System EDU Equivalent})$$

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 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
\$7.08 per 1,000 gallons

- B. The next 500,000 gallons or less per month
\$7.18 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month
\$7.32 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month
\$7.45 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month
\$7.57 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:

1 inch service line	\$5.00
1 ½ inch service line	\$7.50
2 inch service line	\$11.25
3 inch service line	\$16.85
4 inch service line	\$25.25
6 inch service line	\$37.85
8 inch service line	\$56.75
10 inch service line	\$85.15
12 inch service line	\$127.75

2. The monthly charge to be imposed upon the Kutztown Municipal Authority for furnishing of stand-by fire protection to a consumer's property, 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:

1 inch service line	\$5.50
1 ½ inch service line	\$8.25
2 inch service line	\$12.40
3 inch service line	\$18.55
4 inch service line	\$27.75
6 inch service line	\$41.65
8 inch service line	\$62.40
10 inch service line	\$93.65
12 inch service line	\$140.50

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, 2018, 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

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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 19th day of December, 2017.

Note: The increase is 4%. Passed by unanimous vote.

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

RESOLUTION NO. 23-2017

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPERSEDING THE CHARGES FOR THE COLLECTION AND TREATMENT OF DOMESTIC SEWAGE AND INDUSTRIAL SEWAGE AS CURRENTLY SET FORTH IN RESOLUTION NO. 22-2016, ADOPTED ON DECEMBER 20, 2016, BY THE COUNCIL OF THE BOROUGH OF KUTZTOWN.

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 22-2016, adopted on December 20, 2016, 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 Nine and 58/100 Dollars (\$9.58).

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

$$\text{EDU Charge} = \$17.38 \times (\text{Customer Usage} \div \text{Annualized Average System EDU Equivalent})$$

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

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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
\$5.47 per 1,000 gallons
- B. The next 500,000 gallons or less per month
\$6.00 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month
\$7.03 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month
\$9.12 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month
\$13.27 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 Nine and 12/100 Dollars (\$9.12) 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:

$$\text{EDU Charge} = \$17.38 \times (\text{Customer Usage} \div \text{Annualized Average System EDU Equivalent})$$

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
\$5.71 per 1,000 gallons
- B. The next 500,000 gallons or less per month
\$6.17 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month
\$7.18 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month
\$9.21 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month
\$13.34 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).

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

(e) 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, 2018, 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 19th day of December, 2017.

Note: The increase is 4%. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To accept and authorize advertisement of the proposed meeting schedule for 2018. Passed by unanimous vote.

President Snyder noted the following vacancies:

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

President Snyder wished everyone a Merry Christmas!

A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:16 p.m.

Prepared and Attested by: Andrea Rahn
Assistant Borough Secretary

Kevin Snyder and Andrea Rahn hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from November 18, 2017, through December 15, 2017, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin Snyder

Andrea Rahn