A regular meeting of the Kutztown Borough Council was called to order at 7:33 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; Mr. Mark Arnold, Telecommunications Director; Mr. Steven Diehl, Electric Superintendent; Mr. Brian Bailey, Public Works Superintendent; Kutztown University Student Ambassador to Council, Cole Mitchell; Northeastern Berks Emergency Medical Service representatives Douglas Demchyk, Jolene Schlegel, Amy Evans and Todd Evans; Maxatawny Township representative Steve Wilson; Kutztown Transportation Authority representative James Schlegel; Kutztown Area Transport Services representative Rodney Freeman; Planning Commission representative Lisa Ladd-Kidder; residents Allison Fuller and Eric Boyer; Ms. Laura Quain, reporter for Berks-Mont News; and Ms. Karen Chandler, reporter for the Reading Eagle, were also present.

President Snyder presented a plaque to the Borough’s Safety Committee, on behalf of Susquehanna Municipal Trust, for zero loss time days in 2015. Mark Arnold, Brian Bailey and Steve Diehl accepted the plaque and thanked Council for providing their crews with the training and equipment needed to perform their jobs safely.

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

RESOLUTION NO. 19-2016

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 CIVILAN SERVICE AWARD TO BRENDA WENGERT.

WHEREAS, Kutztown Borough Police Department Standard Operating Procedure 2011-04 provides for the recognition of Civilians who aid the police and render aid to another person who is in danger; and

WHEREAS, the recognition of Civilians is done by awards; and

WHEREAS, Standard Operating Procedure 2011-04 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 civilian Brenda Wengert be awarded the CIVILAN SERVICE AWARD for stopping a fraud of $2,000.00. Brenda Wengert exhibited commendable and outstanding actions in recognizing and stopping a fraud against elderly victims who were about to give $2,000.00 in a scam.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown to award the CIVILAN SERVICE AWARD to Brenda Wengert.

This Resolution shall become effective on December 20, 2016.

DULY ADOPTED AS A RESOLUTION this 20th day of December, 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 Resolution awarding the Civilian Service Award to Brenda Wengert.

A motion was made by Mr. Mace, seconded by Ms. Devlin, Resolved, To promote Karl J. Schemberg to Police Corporal. Passed by unanimous vote.

Mayor Green administered the Loyalty Oath to Police Corporal Karl J. Schemberg.

December 20, 2016 Council Meeting Minutes
A motion was made by Mr. Mace, seconded by Ms. Devlin,Resolved, To hire Matthew J. Yerger as a Police Officer. Passed by unanimous vote.

Mayor Green administered the Loyalty Oath to Police Officer Matthew J. Yerger.

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

- Review and accept the Minutes of the November 15, 2016 Borough Council meeting.
- 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 11, 2016, through December 16, 2016, as summarized below:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$199,451.14</td>
</tr>
<tr>
<td>Refuse and Recycling Fund</td>
<td>$45,341.41</td>
</tr>
<tr>
<td>Fire Protection Tax Fund</td>
<td>$2.17</td>
</tr>
<tr>
<td>Recreation Tax Fund</td>
<td>$15.42</td>
</tr>
<tr>
<td>Road Tax Fund</td>
<td>$8.67</td>
</tr>
<tr>
<td>Water Fund</td>
<td>$67,335.21</td>
</tr>
<tr>
<td>Electric Fund</td>
<td>$272,612.39</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>$75,563.93</td>
</tr>
<tr>
<td>Telecommunications Fund</td>
<td>$107,405.33</td>
</tr>
</tbody>
</table>

Passed by unanimous vote.

Under Borough Planning Commission, a motion was made by Mr. Piscitelli, seconded by Ms. Devlin,Resolved, To approve the recommendation from the Planning Commission, regarding the Kutztown Area School District Athletic Facility Upgrade, to grant a waiver from Borough Code Section 195-17.A. (7), requesting to combine a Preliminary/Final Plan rather than separate submittals. Passed by unanimous vote.
A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To approve the recommendation from the Planning Commission, regarding the Kutztown Area School District Athletic Facility Upgrade, to grant a waiver from Borough Code Section 195-17. A., requesting a change from the required plan scale from 1” = 50’ and 1” = 20’ to 1” = 80’ and 1” = 30’. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Ms. Devlin, Resolved, To approve the recommendation from the Planning Commission, regarding the Kutztown Area School District Athletic Facility Upgrade, to grant a waiver from Borough Code Section 197-17.E. (49), requiring submittal of a landscaping plan. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To approve the recommendation from the Planning Commission, regarding the Kutztown Area School District Athletic Facility Upgrade, to conditionally approve the Preliminary/Final Plan contingent upon completion of all remaining technical review findings in the Borough Engineer’s Review Letter dated December 2, 2016, as well as consideration of recommendations from the Fire Chief which have not yet been received. Passed by unanimous vote.

Under Environmental Advisory Commission, there was nothing to report.

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

The following fines were collected:

<table>
<thead>
<tr>
<th>Source</th>
<th>Month</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Justice Greth</td>
<td>October, 2016</td>
<td>$9,701.51</td>
</tr>
<tr>
<td>Clerk of Common Pleas</td>
<td>October, 2016</td>
<td>$78.30</td>
</tr>
<tr>
<td>Secretary’s Office</td>
<td>November, 2016</td>
<td>$5,325.00</td>
</tr>
</tbody>
</table>
The agenda item to authorize Northeastern Berks Emergency Medical Service as the secondary ambulance service provider for the Borough of Kutztown was tabled pending further discussion with the County.

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

**ORDINANCE NO. 5-2016**

**AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF KUTZTOWN, BY ADDING A PROVISION TO EACH OF SECTION: 212-71, ENTITLED “PARKING PROHIBITED AT ALL TIMES”; SECTION 212-72, ENTITLED “PARKING PROHIBITED CERTAIN HOURS”; SECTION 212-73 ENTITLED “TIME LIMIT PARKING”; 212-74, ENTITLED “SPECIAL PURPOSE PARKING ZONES” AND REPEALING INCONSISTENT PROVISIONS.**

Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To pay the pool managers $250.00 each for receiving their 2016 pesticide license. Passed by unanimous vote.

A motion was made by Mr. Seyler seconded by Mr. Piscitelli, Resolved, To approve a refund of $82.00 to Michelle Graham, and $300.00 to the Kutztown Community Partnership, to cover their losses due to Borough equipment failures in the park and pool restaurants over the summer. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the 2017 Allentown and Auburn Railroad schedule. Passed by unanimous vote.

Mr. Mace reported that the Railroad gave approximately $16,500.00 in commission to the Kutztown Transportation Authority, and Jim Schlegel noted that the Railroad hauled over 11,000 passengers in 2016.
A motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, To approve the Final Payment – No. 4, to EJB Paving, for the East Main Street Improvements project, in the amount of $88,326.20, contingent upon completion of the project. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Seyler, Resolved, To approve the 2017 Rate Schedule for Engineering Services from Great Valley Consultants. Passed by unanimous vote.

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

RESOLUTION NO. 20-2016

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER A231 OF THE CODE OF THE BOROUGH OF KUTZTOWN, SO AS TO AMEND SOLID WASTE DISPOSAL FEES.

WHEREAS, the Council of the Borough of Kutztown from time to time adopts Resolutions establishing the rates to be charged regarding solid waste disposal service furnished to consumers, by authority of the duly enacted ordinances of the Borough of Kutztown, Berks County, Pennsylvania; and

WHEREAS, Section 185-7 of Chapter 185 of the Code of the Borough of Kutztown sets forth that the fees for the availability and use of the Borough’s collection and disposal service for refuse shall be provided for from time to time by Resolution of Council; and

WHEREAS, Section A231-1.13 of Chapter A231 of the Code of the Borough of Kutztown sets forth the solid waste collection and disposal fees; and

WHEREAS, the Council of the Borough of Kutztown desires, by this Resolution, to amend said solid waste collection and disposal fees.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, and it is hereby adopted by the authority of the same, that Section 231-1.13 of Chapter A231 of the Code of the Borough of Kutztown be, and it is hereby, amended in its entirety so as to read:
A. Effective January 2017 (payment due and payable on and after February 25, 2017), the fees and charges for the collection and disposal of refuse or large items shall be as follows:

1. Except as hereinafter provided, per month per dwelling unit: $34.50.

2. Notwithstanding the provisions above, if any dwelling unit is occupied by any person or his or her spouse (if a member of the household) shall be 62 years of age or older, per month per such dwelling unit: $19.00.

3. Additional charge for collection of containers in excess of three per collection period, per additional container per collection: $2.00.

4. Additional charge for collection of refuse, large items or dumpsters not accessible during a scheduled collection where a return to the premises is required for the purpose of collecting same, per collection: as established in § A231-2 of Chapter A231.

5. Dumpsters.
   a. From dumpsters rented from the Borough of Kutztown having a capacity of:
      - One-and-one-half cubic yards, per month: $181.50.
      - Two cubic yards, per month: $217.04.
      - Four cubic yards, per month: $326.36.
      - Six cubic yards, per month: $469.22.
   b. From dumpsters not owned by the Borough of Kutztown or for pick-up in excess of the standard collection for dumpsters owned by the Borough Kutztown, per cubic yard per collection, based upon the entire capacity of the dumpster: $13.75.

B. Additional charge for the collection and disposal of large items, as follows:

1. Large stuffed chair or recliner, sofa or loveseat and/or large table: $30.00.
   NOTE: Sectional sofas will be charged per piece.

2. Large appliances such as refrigerator [with door off and chlorofluorocarbons (CFC's) removed by a person certified to do work], air conditioner (CFC's removed by a person certified to do work), stove, washer/dryer and/or electronic equipment, (excluding televisions): $30.00.

3. Televisions: $50.00.

4. Mattress, box spring, small table, kitchen chair (small): $7.00.

5. Rugs, any size (except 9x12 and larger): $3.00.

6. Rugs, 9x12 and larger: $6.50.


8. Any other large items not specified above, excluding tires: cost to be determined by the Borough

C. All fees charged shall be paid monthly.

D. Any item used herein that has been defined in Chapter 185 shall have the meaning
applicable to such term in Chapter 185.

BE IT FURTHER RESOLVED, that any and all Resolutions and parts of Resolutions inconsistent with this Resolution are hereby retroactively superseded and that this Resolution shall remain in effect until superseded by a duly adopted Resolution of the Council of the Borough of Kutztown.

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

Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To appoint Frederick Engelhardt as a member of the Borough Planning 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 Karen Feridun as a member of the Borough Planning Commission, whose term shall expire on January 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To reappoint Jacob Sewall as a member of the Zoning Hearing Board, whose term shall expire on January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To reappoint Lenore McGonigle as an alternate member of the Zoning Hearing Board, whose term shall expire on January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To reappoint Todd Underwood as a member of the Environmental Advisory Commission, whose term shall expire on January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To
reappoint Shireen DeNault as a member of the Environmental Advisory Commission, whose term shall expire on January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To appoint Ernest Angstadt as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To appoint Barbara Coffin as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Mace, Resolved, To appoint Lucy Muth as a member of the Kutztown Community Library, Inc. Board of Directors, whose term shall expire January 1, 2020. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Diehm, Resolved, To accord regular full time employment to Jill Remick, who has successfully completed her probationary period. Passed by unanimous vote.

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

Under Finance and Electric Committee, a motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To approve the proposed budget for 2017. All in favor, except for Mr. Diehm, who voted Nay. There being a majority in favor, the motion passed.

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

ORDINANCE NO. 6-2016
AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA

Passed by unanimous vote.

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

ORDINANCE NO. 7-2016


Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Ms. Seyler, 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.

Under Telecommunications and Information Technologies Committee, a motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To approve the Fox programming agreements for WTXF 29 and Big Ten Network. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Diehm, seconded by Ms. Devlin, Resolved, To authorize the Borough Solicitor to draft a lease agreement with Beacon Broadcasting Corporation to lease space in the Borough’s lattice tower and in the

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headend, and to execute the letter of intent for the proposed lease agreement. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To adopt the following Resolution:

RESOLUTION NO. 21-2016


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 12-2014 adopted on December 16, 2014, 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 Eight Cents ($17.08).

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

EDU Charge = $6.55 x (Customer Usage ÷ 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 $6.70 per 1,000 gallons
B. The next 500,000 gallons or less per month $6.81 per 1,000 gallons
C. The next 1,000,000 gallons or less per month $6.90 per 1,000 gallons
D. The next 2,000,000 gallons or less per month $7.04 per 1,000 gallons
E. The next 4,000,000 gallons or less per month $7.16 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 Twenty-Seven Cents ($16.27) 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:
EDU Charge = $6.55 \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 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 $6.81 per 1,000 gallons
- B. The next 500,000 gallons or less per month $6.90 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month $7.02 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month $7.16 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month $7.28 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

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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</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 inch</td>
<td>$5.00</td>
</tr>
<tr>
<td>1 ½ inch</td>
<td>$7.50</td>
</tr>
<tr>
<td>2 inch</td>
<td>$11.25</td>
</tr>
<tr>
<td>3 inch</td>
<td>$16.85</td>
</tr>
<tr>
<td>4 inch</td>
<td>$25.25</td>
</tr>
<tr>
<td>6 inch</td>
<td>$37.85</td>
</tr>
<tr>
<td>8 inch</td>
<td>$56.75</td>
</tr>
<tr>
<td>10 inch</td>
<td>$85.15</td>
</tr>
<tr>
<td>12 inch</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, 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</th>
<th>Monthly Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 inch</td>
<td>$5.50</td>
</tr>
<tr>
<td>1 ½ inch</td>
<td>$8.25</td>
</tr>
<tr>
<td>2 inch</td>
<td>$12.40</td>
</tr>
<tr>
<td>3 inch</td>
<td>$18.55</td>
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<td>4 inch</td>
<td>$27.75</td>
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<td>6 inch</td>
<td>$41.65</td>
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<tr>
<td>8 inch</td>
<td>$62.40</td>
</tr>
<tr>
<td>10 inch</td>
<td>$93.65</td>
</tr>
<tr>
<td>12 inch</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.
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(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, 2017, 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 20th day of December, 2016.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To adopt the following Resolution:
RESOLUTION NO. 22-2016


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 13-2014, adopted on December 16, 2014, 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 21/100 Dollars ($9.21).

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

   EDU Charge = $16.71 x (Customer Usage ÷ 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
      $5.26 per 1,000 gallons

   B. The next 500,000 gallons or less per month
      $5.77 per 1,000 gallons

   C. The next 1,000,000 gallons or less per month
      $6.76 per 1,000 gallons

   D. The next 2,000,000 gallons or less per month
      $8.77 per 1,000 gallons

   E. The next 4,000,000 gallons or less per month
      $12.76 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 Eight and 77/100 Dollars ($8.77) 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:

   EDU Charge = $16.71 x (Customer Usage ÷ 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
   $5.49 per 1,000 gallons

B. The next 500,000 gallons or less per month
   $5.93 per 1,000 gallons

C. The next 1,000,000 gallons or less per month
   $6.90 per 1,000 gallons

D. The next 2,000,000 gallons or less per month
   $8.86 per 1,000 gallons

E. The next 4,000,000 gallons or less per month
   $12.83 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).
      (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, 2017, 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 20th day of December, 2016.

Passed by unanimous vote.

Mr. Seyler noted that the Water Department will purchase a new desktop turbidimeter, at a cost of $3,620.91, to replace the current one that is 14 years old and outdated/inaccurate.

Under Miscellaneous, a motion was made by Mr. Piscitelli, seconded by Ms. Devlin, Resolved, To accept and authorize advertisement of the proposed meeting schedule for 2017. Passed by unanimous vote.

A motion was made by Ms. Devlin, seconded by Mr. Piscitelli, Resolved, To approve the Cooperative Agreement letter required by the Department of Community and Economic Development for the Kutztown Community Partnership’s Façade Grant application. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To adopt the following Resolution:
RESOLUTION NO. 23-2016

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, TO AUTHORIZE THE FILING OF A PROPOSAL FOR FUNDS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, COMMONWEALTH OF PENNSYLVANIA, TO BE UTILIZED IN THE BOROUGH’S FAÇADE IMPROVEMENT PROGRAM TO BE ADMINISTERED BY THE KUTZTOWN COMMUNITY PARTNERSHIP.

WHEREAS, the Borough of Kutztown is desirous of obtaining $50,000.00 from the Department of Community and Economic Development, Commonwealth of Pennsylvania, for the sole purpose of providing assistance to property owners in the Borough of Kutztown to make physical improvements to façades within the Borough of Kutztown; and

NOW THEREFORE, BE IT RESOLVED that the Borough of Kutztown will assume the provision of the full local share of project costs;

BE IT FURTHER RESOLVED that the Borough of Kutztown will reimburse the Commonwealth for the State’s share of any expenditure, found by the Department of Community and Economic Development to be ineligible; and

BE IT FURTHER RESOLVED that the Secretary of the Borough of Kutztown is directed to execute a certificate attesting to the adoption of this Resolution and to furnish a copy of the Resolution to the Department of Community and Economic Development.

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

Passed by unanimous vote.

President Snyder noted the following vacancies:
Code Appeals Board: One Member Vacancy
Zoning Hearing Board: One Alternate Vacancy
Housing License Appeals Board: Two Alternate Vacancies
Telecommunications Advisory Commission: One Member Vacancy

President Snyder called for an Executive Session at 8:15 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 8:36 p.m.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:36 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 11, 2016, through December 16, 2016, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

__________________________________________
Kevin J. Snyder

__________________________________________
Gina M. Wiand