BOROUGH OF KUTZTOWN
COMMUNITY DEVELOPMENT AND PUBLIC SAFETY
COMMITTEE MEETING
MINUTES OF MAY 11, 2021

A regular meeting of the Community Development and Public Safety Committee was held on Tuesday, May 11, 2021 via Zoom Video Communications, hosted by Mr. Gabriel Khalife, Borough Manager.

The meeting was called to order at 7:30 p.m. by Ms. Amanda Raudenbush, Chairperson. Members present were Ms. Amanda Raudenbush, Ms. Arabel Elliott, and Dr. Derek Mace. Also present: Mr. Gabriel Khalife, Borough Manager; Mr. James Schlegel, Mayor; Ms. Judith Danko, Director of Community Development; Mr. Craig Summers, Chief of Police; and, Ms. Carolann Moody, Recording Secretary. Public Attendance: Ms. Sandra Green representing Kutztown Community Partnership; Mr. Michael Russo, representing Kutztown Fire Company; Mr. Rodney Freeman representing Kutztown Area Transport Service; Mr. Warren Shaub, Ms. Lisa Ladd-Kidder, Mr. Frederick Engelhardt and Mr. Eric Boyer, Borough Residents.

PUBLIC COMMENTS:
Mr. Rodney Freeman reminded committee members that the American Rescue Plan for 2021 has been made available and in the language of the Plan, Emergency Medical Service (EMS) providers are eligible for grants. He stated that Kutztown Area Transport Service has received grants from Berks County, from the State of Pennsylvania as well as multiple grants from the federal government. Mr. Freeman mentioned that under the criteria of the American Rescue Plan for 2021, he would like to request from the Borough of Kutztown to apply for grant money.

Ms. Raudenbush stated that she believes the Borough would be in support of that type of application, however, she does not know if they would be able to award it. She added that she does not think that the process by which the Federal Government is going to distribute that money has not been clearly identified and shared with the governmental entities who would be receiving that money. She stated that once Mr. Gabriel Khalife receives more information, on how the money can be used and what the Borough needs to do to utilize the funds.

REVIEW AND ACCEPT THE MINUTES:
Members reviewed the April 13, 2021 Committee meeting minutes. Motion by Dr. Mace and seconded by Ms. Raudenbush to approve the April 13, 2021 minutes as written. Dr. Mace and Ms. Raudenbush voted to approve the minutes as written. Ms. Elliott abstained as she was not in attendance at the April 13, 2021 meeting.

ACTION ITEMS:

FIRE COMPANY/EMERGENCY MANAGEMENT ACTION ITEMS:
No action items
COMMUNITY DEVELOPMENT ACTION ITEMS:
No action items

KCP/MAIN STREET ACTION ITEMS:
No action items

POLICE DEPARTMENT ACTION ITEMS:
• Life Saving Award for Officer Hriczko
Chief Summers reviewed the incident with committee members. Motion by Dr. Mace and seconded by Ms. Elliott to recommend Borough Council adopt the Resolution for the Life Saving Award for Officer Robert Hriczko. The motion passed by unanimous vote.

MAYOR ACTION ITEMS:
No action items

REPORTS:

FIRE COMPANY/EMERGENCY MANAGEMENT:
Chief Russo stated that the Fire Company responded to 44 calls in April and to date, they are at approximately 177 calls. He mentioned that Kutztown Fire Company was awarded a State Fire Fighter Grant in the amount of $14,193.95, which will be used for communications equipment and other safety related items.

There was a brief discussion regarding staffing and how to find people who are interested in becoming fire fighters. Dr. Mace suggested Chief Russo look into using the Borough’s resources, such as, the monthly mailing that is included with utility bills, as well as the Borough’s website to recruit new members. Chief Russo stated he will discuss this with the Recruitment and Retention Committee.

Mr. Rodney Freeman questioned Dr. Mace about the possibility of him using the same resources to recruit EMTs and paramedics. Dr. Mace mentioned that although he values his service and wants him to be fully staffed, however, Kutztown Area Transport Services is a for profit entity and suggested he reach out to Mr. Gabriel Khalife for further direction.

COMMUNITY DEVELOPMENT:
• Subdivision/Land Development Sketch Plan Application Received Regarding Proposed “Apartments of Elm St., S. Elm St., and James Alley
Ms. Raudenbush mentioned the applicant withdrew the original plan and submitted a new plan. The Planning Commission will review at the May 10, 2021 meeting.
• Planning Commission Workshop Meetings
Ms. Raudenbush stated that Planning Commissioners are voluntarily adding an additional meeting to the month that would be used as a workshop meeting; adding that she believes that is a good idea.
• New Business Opening
Ms. Raudenbush mentioned Althouse Training Center located at 445 Greenwich Street is now open.
● **Possible Changes for Phase III of Hilltop Subdivision**
Ms. Raudenbush stated that the applicant is applying for stormwater and sanitary sewer changes, among other items.

● **Zoning Hearing Appeal Litigation**
Ms. Raudenbush mentioned that Attorney Mooney presented the issue in the Berks County Court of Common Pleas, adding that the judge’s decision was to uphold the Kutztown Borough Zoning Hearing decision to allow the fence that was placed in the site triangle to stay.

There was a lengthy discussion regarding the order of how the meeting is conducted, (action items then the reports on the agenda), the agenda as well as committee reports (only those containing public information) being posted on the website, reports only needing further discussion if anyone has a question or comment for further clarification, the responsibilities of Borough Council, keeping the meetings constructive as well as starting to add visionary items to the agenda, such as the multimodal grant or other items that keep moving Kutztown forward.

● **Housing License Appeal Regarding 326 W Walnut Street**
Ms. Raudenbush stated that information was sent to the Borough Solicitor regarding the appeal process, adding that the residents of that address were evicted.

● **Dust and Noise Ordinance Information from Mr. Engelhardt**
Ms. Danko mentioned that she did speak with Borough Solicitor Mooney and due to the racetrack being a pre-existing use, no changes can be made on current zoning issues. She thanked Mr. Engelhardt for submitting the sample dust and noise ordinance and after reviewing it with Solicitor Mooney, his thought was, that while it seems like a good idea, it could be very costly and impractical due the lack of qualified staff and equipment available to identify and enforce possible violations. Ms. Danko stated that if it would be possible to get an ordinance in place, it would appear that the racetrack is being singled out, questioning if that were something that should be done, or would it be better to continue to work with Mr. Rose on mitigating the dust. She added that after speaking with Mr. Rose, he mentioned that additional dirt was added to the track and the proper permits were applied for regarding the fence. Ms. Danko stated they also discussed fencing for noise control, however, since there are only 12 races per year, that would not be cost effective at this time. She added that if her office can continue to work with Mr. Rose and the Fair Board to find ways to mitigate the dirt and noise, all monies saved on fines and court costs could be put towards a positive goal.

There was a brief discussion regarding the dust, the current industrial zone ordinance, which appears to be unenforceable currently, air quality, the variety of factors that prevent the mitigation of the dust, as well as the racetrack being there for years which is also allowable by zoning in that district.

Dr. Mace requested that Ms. Danko come up with three possible solutions to enforce dust mitigation that can be reviewed by committee members, discussed at public meetings, and possibly pursue. Ms. Danko reminded Dr. Mace that she has done research from other areas with racetracks, and no one has had any recommendations or solutions. She mentioned that some of the people she spoke with stated that the people of the town realize that it is a small number of races and accept it. Ms. Danko added that she will look further for a possible solution.

● **Training Information**
Ms. Danko mentioned that she did forward training and workshop information to Board Members for their interest.
Update on Parking Revisions
Ms. Danko stated that the Planning Commission is continuing to review the proposed parking revisions.

Community Development Office
Ms. Raudenbush mentioned there was a sewer issue at the Community Development Office that has been rectified.

Community Development Report for April 2021
Committee members reviewed the report. There were no questions or comments.

DCR Report for April 2021
Committee members reviewed the report. There was a brief discussion regarding when a DCR is closed. There were no questions or comments.

KCP/MAIN STREET:
Ms. Green mentioned that everything is moving forward for the Kutztown Area High School Senior send-off except closing the 200 block of W Main Street for outdoor dining. She stated that the outdoor dining time was estimated at 8:30 PM and restaurant owners feel that is too late and staffing remains an issue with some of the restaurants.

Ms. Green stated the Kutztown University send-off went very well, but due to the cold weather some of the later seating times were cancelled.

Ms. Raudenbush stated the newest mural in town is beautiful.

POLICE DEPARTMENT:
Police Reports for April 2021
Committee members reviewed the report. There was a brief discussion regarding some of the common incidents that officers are responding to including a heroin overdose where one of the officers used Narcan to revive the victim.

Chief Summers stated there were some traffic but no other issues with the cannabis festival.

Mr. Shaub requested placing a “crime watch” sign be placed on the pole to identify the camera on W Walnut Street. Following a lengthy discussion, Ms. Raudenbush stated that she would like Solicitor Mooney to weigh in on that before any decisions are made. Dr. Mace suggested this item be discussed at a Borough Council meeting when Solicitor Mooney is already in attendance.

MAYOR’S REPORT:
Mayor Schlegel mentioned that he felt the Borough got lucky this year, as there was no major KutzPatty Day event. He added there were a few parties on 4/20, however, nothing got out of hand.

Mayor Schlegel stated that Bells Across PA was a success and thanked all who participated.

Mayor Schlegel mentioned that he is looking forward to the Kutztown Area High School parade.

Mayor Schlegel stated that he would like to speak with Chief Summers about people doing U-Turns and parking the wrong way on Main Street.
Mayor Schlegel added that there will not be Memorial Day parade, but there will be services at 8:30 a.m. at Fairview Cemetery and 9:00 a.m. at Hope Cemetery.

OFF AGENDA:
Ms. Danko mentioned that Ms. Karen Feridun resigned from the Planning Commission effective last evening, adding that if anyone is aware of someone who would be interested in filling this position, please have them contact Borough Administration Office.

ADJOURNMENT:
With no further business to discuss, a motion was made by Dr. Mace and seconded by Ms. Elliott to adjourn the meeting. The motion carried and the meeting adjourned at 9:30 p.m.