



## AGENDA

### KUTZTOWN BOROUGH COUNCIL MEETING

APRIL 16, 2024

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PLEASE NOTE THE FOLLOWING VACANCIES:

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

### PUBLIC COMMENTS:

#### CONSENT AGENDA

Consider motion to approve consent agenda:

- Review and accept the Minutes of the March 19, 2024, Borough Council meeting.
  - Review and accept the Borough Community Development Report for March 2024.
  - 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 March 16, 2024, through April 12, 2024.
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#### REGULAR AGENDA

### BOROUGH PLANNING COMMISSION:

*Chairperson: Robert Weller*

*Members: Patricia Snyder, Steve Fenstermacher, Joel Seidel, Randy Marsteller, Denise Bosler and Amy Hubler*

Take action on the recommendation from the Borough Planning Commission to deny the variance to the appellant who wishes to open a tobacco retail store at 45 Constitution Boulevard, Suite 2, due to the location being within a C-3 Zoning District, and to send the Borough Solicitor to the hearing.

Take action on the recommendation from the Borough Planning Commission to deny the variances requested for the property located at 213 W. Main Street, due to lack of details, and to send the Borough Solicitor to the hearing.

Take action on the recommendation from the Borough Planning Commission to grant conditional approval of the SALDO Plan for 601 E. Main Street, pending the conditions noted on the HRG Review Letter #1, dated March 22, 2024, are met, and to send the Borough Solicitor to the next Planning Commission meeting that the attorneys for McDonald’s plan to attend.

**ENVIRONMENTAL ADVISORY COMMISSION:**

*Chairperson: Todd Underwood*

*Members: Kathleen Kelly, Randall Wert and Constantine Penzone*

**COMMUNITY DEVELOPMENT AND PUBLIC SAFETY:**

*Chairperson: George Kusterer*

*Members: Derek Mace and Frederick Engelhardt*

Police Report for March 2024.

Fines Collected:	District Justice Greth	March 2024	\$2,053.86
	Clerk of Common Pleas	March 2024	\$150.00
	Secretary’s Office	March 2024	\$1,750.00

Take action on the request from Kutztown Fire & Rescue to release funds from the fire tax account, in the amount of \$65,220.00, to assist with meeting their first half of 2024 budget and to offset the cost of supplies and gear and any other permissible cost as set forth in Section 1302 (a) (6) of the Borough Code.

Take action to approve the parade permit application, for Kutztown Fire & Rescue, to hold a parade on May 4, 2024.

Take action to approve the Police Standard Operating Procedure for Training and Career Development.

Take action to approve the Police Standard Operating Procedure for the Departmental Recognition/Awards Program.

**PUBLIC WORKS:**

*Chairperson: Kevin Snyder*

*Members: Edwin Seyler and Lisa Ladd-Kidder*

Take action to authorize Great Valley Consultants to prepare the 2024 paving bid based on the results from Pipe Data’s televising of the Elm Street storm system.

Take action to approve allocating \$3,000.00 for the Kutztown Dolphins Swim Team coaches for the 2024 season.

Take action on the request from the Berks County Solid Waste Authority to approve donating \$500.00 in support of the County Recycling Center.

Take action to approve the request from the Kutztown Community Partnership to hold Dinner on Main, on Friday August 2, 2024, to shut down the 200 block of W. Main Street for the event, and to waive associated fees.

Take action to approve the request from Allison Crouse to have one refuse bill for 152 E. Main Street, apartments 1 and 2, contingent upon Ms. Crouse being the only occupant.

Take action to approve the 2024 Concert Series in the Park.

Take action to approve the request from St. Paul’s UCC to host a concert by the Grace Notes, in the Band Shell, on June 20, 2024, and to waive the rental fee.

Take action to approve the request from Denise Keim to post Relay for Life signs around town starting the week of May 6, 2024, and ending by May 31, 2024.

Take action on the request from Alicia Lukacsina to use the Scooter Building on June 22, 2024, for a birthday party, provided they are done by 4:00 p.m. due to a scheduled concert that night.

Discuss and take action on the quotes received from Wolfe Roofing.

**PERSONNEL:**

*Chairperson: Frederick Engelhardt*  
*Members: Kevin Snyder and George Kusterer*

Take action to hire Emily Rodriguez as a Front Office Clerk.

Take action to reappoint Kathleen Kelly, as a member of the Environmental Advisory Commission, whose term shall expire on May 1, 2027.

An Executive Session is requested to discuss personnel and legal matters.

**FINANCE AND ELECTRIC:**

*Chairperson: Derek Mace*  
*Members: Kevin Snyder and Edwin Seyler*

Note: For a fifth consecutive year, the American Public Power Association has presented the Borough of Kutztown with a Certificate of Excellence in Reliability.

**TELECOMMUNICATIONS AND INFORMATION TECHNOLOGIES:**

*Chairperson: Lisa Ladd-Kidder*  
*Members: George Kusterer and Frederick Engelhardt*

Take action on the proposed Resolution to sell an old malfunctioning printer to Heidi Hermany for \$1.00.

**WATER AND WASTEWATER:**

*Chairperson: Edwin Seyler*

*Members: Derek Mace and Lisa Ladd-Kidder*

Introduce and authorize advertisement of the proposed Ordinance amending Chapter 217 of the Code of the Borough of Kutztown, entitled “Water,” by amending Section 217-2 by providing definitions for the terms “Meter Pit” and “Meter Vault,” and Section 217-5 to provide that all new water service connections made after June 1, 2024, shall require the installation of a Meter Pit or a Meter Vault.

Take action to direct the Borough Manager to inquire if SSM can do a Water Shed Evaluation, and if so, to get a cost.

Take action to send a comment letter to DEP regarding their public notice of proposed Consent Order & Agreements (COAs) on three portions of the Topton Hazardous Site in Topton.

NOTE: For a 12<sup>th</sup> consecutive year, the Borough’s Water Department has been selected to receive an Area-Wide Optimization Program award for their excellence in the performance of the Borough’s Water Filtration Plant.

**MISCELLANEOUS:**

NOTE: The Borough Code is in the process of being updated, with Supplement No. 28, and the cost range is between \$735.00 and \$895.00