



AGENDA

KUTZTOWN BOROUGH COUNCIL MEETING

SEPTEMBER 15, 2026

Council will interview applicants for a Council member vacancy in Ward 1.

Applicant List:

1. Joel Seidel
2. Patricia Snyder

Take action to appoint a Council member, to administer the oath of office, and to execute the affidavit of residency.

Public Hearing: Consider an Ordinance to Amend Chapter 225 – Data Centers and Data Center Accessory Uses.

Public Hearing: Consider an Ordinance to Amend Chapter 225 – Creating and Adding the Definition of Short-Term Rental (STR).

Public Hearing: Consider an Ordinance to Amend Chapter 180 – Short-Term Rental (STR) Registration.

PLEASE NOTE THE FOLLOWING VACANCIES:

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

PUBLIC COMMENTS:

CONSENT AGENDA

Consider motion to approve consent agenda:

- Review and accept the Minutes of the August 18, 2026, Borough Council meeting.
- Review and accept the Borough Community Development Report for August 2026.

- 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 August 15, 2026, through September 11, 2026.

REGULAR AGENDA

BOROUGH PLANNING COMMISSION:

Chairperson: Robert Weller

Members: Patricia Snyder, Chad Master, Joel Seidel, Drew Myers, and Daniel Fogarty

NOTE: The Northeastern Berks Joint Comprehensive Plan survey is available on the Borough's website.

ENVIRONMENTAL ADVISORY COMMISSION:

Chairperson: Todd Underwood

Members: Kathleen Kelly, Randall Wert, Lisa Foreback, Michael Downing, and Tommy Lazorik

COMMUNITY DEVELOPMENT AND PUBLIC SAFETY:

Chairperson: George Kusterer

Members: Derek Mace

Police Report for August 2026.

Fines Collected:	District Justice Greth	August 2026	\$1,580.70
	Clerk of Common Pleas	August 2026	\$204.09
	Secretary's Office	August 2026	\$2,400.00

Take action to enact and ordain the proposed Ordinance amending Chapter 225 of the Code of the Borough of Kutztown, entitled "Zoning" to provide definitions and specific requirements for Data Centers and Data Center accessory uses.

Take action to enact and ordain the proposed Ordinance amending the Code of the Borough of Kutztown by amending the Borough of Kutztown Zoning Ordinance, Chapter 225 by: creating and adding the definition of short-term rental and by permitting the establishment of short-term rentals in various zoning districts.

Take action to enact and ordain the proposed Ordinance amending the Borough Code to include a new Chapter 180, entitled "STR Registration"; establishing regulations for; obtaining an STR operating license, an STR occupancy permit and setting penalties for failure to comply with this Chapter.

Take action on the request from Kutztown University's McFarland Student Union & Community Outreach to open the Community Development Office and run an electrical extension cord from the office to serve as a power source for a portion of Fall Fest 2026 on September 19, 2026, from approximately 2:00p.m. to 9:00p.m. NOTE: A staff member from the office will be present for the full duration to supervise access and safeguard property records.

Take action on the request from the Kutztown Fairgrounds Association to waive \$254.00 in outstanding electrical (\$109.50) and plumbing (\$144.50) permit fees for a livestock building recently constructed at the Kutztown Fairgrounds. NOTE: The request is presented as a standalone, case-by-case accommodation in support of the Fairgrounds Association's 4-H and youth agricultural programming, since the Association's 501(c)(5) tax-exempt status does not meet the eligibility criteria of the nonprofit fee waiver policy currently under development.

PUBLIC WORKS:

Chairperson: Kevin Snyder

Members: Edwin Seyler and Lisa Ladd-Kidder

Take action on Change Order No. 31, from Kinsley Construction, in the amount of \$3,260.65, for swapping door 207 with the eliminated door 116 and adding additional ceilings in the new Administration and Public Works building.

Take action on Change Order No. 33, from Kinsley Construction, for adding a ceiling in room 116, upsizing the coiling fire door, adding glass windows to various doors, and installing two additional windows; and for deleting the partition walls in the new Administration and Public Works building, which gives the Borough a credit of \$8,680.73.

An Executive Session is requested to discuss a protection of public safety and security matter.

Take action on Change Order No. 34, from Kinsley Construction for data/electrical in the new Administration and Public Works building.

Take action on Change Order No. 35, from Kinsley Construction, in the amount of \$6,760.33, for the #47 Boiler Shutdown in the new Administration and Public Works building.

Take action on Change Order No. 36, from Kinsley Construction, in the amount of \$6,393.51, for the Multipurpose Room ductwork in the new Administration and Public Works building.

Take action on Payment Application No. 12, from Kinsley Construction, in the amount of \$728,648.21 for the new Administration and Public Works building.

Take action to ratify approval for CMS to proceed with lowering the water main immediately, Maple and James Streets, at a cost not to exceed \$20,000.00, so the 2026 Paving and Storm Sewer Improvements Project is not further delayed.

Take action on the request from the Rotary Club to use the Park on June 12, 2027, and June 10, 2028, for their Taste of Kutztown event.

Review and take action on the quotes for 75 tons of infield mix so the KYAA can perform field maintenance during the offseason.

Take action on the request from the Kutztown Soccer Club to use the Multipurpose Field as well as the ballfields and their lights, in the Park, for their fall practices and games.

NOTE: The 2026 leaf collection schedule has been mailed and posted online.

PERSONNEL:

Chairperson:

Members: Kevin Snyder and George Kusterer

Take action to concur with the Borough Manager's decision to hire Zachary Peace as a full-time Office Assistant, contingent upon the successful completion of the necessary reference checks, background investigation, and drug testing.

Take action to reappoint Melissa Engelhardt, as a member of the Zoning Hearing Board, whose term shall end on October 1, 2029.

FINANCE AND ELECTRIC:

Chairperson: Derek Mace

Members: Kevin Snyder and Edwin Seyler

Review and approve the monthly budget status report.

Take action on the new Administration and Public Works building furniture proposals.

Take action on the proposed Resolution authorizing the exoneration of Per Capita Tax bills, due and owing for the calendar year 2027, effective January 1, 2027.

Take action on the proposed Resolution authorizing a five percent pension contribution rate for full-time police officers in 2027.

NOTE: The Minimum Municipal Obligation (MMO), for 2027, for the Uniform Pension Plan is \$195,031, and for the Non-Uniform is \$487,382.

TELECOMMUNICATIONS AND INFORMATION TECHNOLOGIES:

Chairperson: Lisa Ladd-Kidder

Members: George Kusterer

Take action on the PhillyCom invoice for the purchase of a network switch, at a cost not to exceed \$7,415.00, for the new Administration and Public Works building.

Take action on the TWG Security quote #8902 for a security system, at a cost not to exceed \$6,907.32, for the new Administration and Public Works building.

Take action on the TechniCom invoice for audio visual equipment, at a cost not to exceed \$25,384.12, for the public meeting room in the Administration and Public Works building.

Take action on the TWG Security quote #6909 for door access control wiring and security cameras, at a cost not to exceed \$96,163.83, for the new Administration and Public Works building.

WATER AND WASTEWATER:

Chairperson: Edwin Seyler

Members: Derek Mace and Lisa Ladd-Kidder

MISCELLANEOUS:

Borough trick-or-treat night is on October 31, from 6:00p.m. until 8:00p.m.

NOTE: Council received a thank you letter from the Strand Committee.

**BOROUGH OF KUTZTOWN PUBLIC COMMENT POLICY
PURSUANT TO RESOLUTION NO. 6-2002**

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, ADOPTING
RULES OF ORDER TO GOVERN THE MANNER AND CONDUCT OF
PUBLIC BOROUGH COUNCIL MEETINGS AND THE
PREPARATION OF RECORDS OF SUCH PROCEEDINGS.

SECTION 8. Public Participation. In accordance with the provisions of the Sunshine Law, the Council will solicit comment from the public in attendance at the beginning of a public Council meeting as to any matters of concern, official action or deliberation which do not appear on the agenda and will solicit comment from the public in attendance at a public Council meeting on agenda items at the time during such meeting such agenda items are addressed by the Council. The Council President may set reasonable time limits for each member of the public to comment, consistent with the number of persons seeking to speak. The Council President may offer a greater period of time for comment to a spokesperson representing a group of attendees. Information presented to Council in written form by members of the public shall not be read aloud to the Council as part of public comment, unless the Council President so allows. If the Borough Council shall, by majority vote of those Council members present, determine that there is not sufficient time at a public meeting for residents of the Borough and for taxpayers of the Borough or for both to comment at any public Council meeting, the Council may, in accordance with Section 710.1(a) of the Sunshine Law, defer the comment period to the next regular public meeting or to a special public meeting occurring in advance of the next regular public meeting.

SECTION 9. Decorum and Disorderly Persons. The Council President shall demand and require that all attendees are treated with courtesy, dignity and respect. All attendees present at any Council meeting shall conduct themselves with appropriate decorum and no shouting, cursing and foul language, personal insults and defamatory statements shall be permitted. Interruption of any Council member or the Mayor when they are speaking, except to raise a point of order or as may otherwise be permitted by this Resolution, shall not be permitted. If any individual attending the Council meeting shall defy the Council President's request to cease discussion on a matter, or shall conduct themselves in a disorderly or disruptive manner or in defiance of the final procedural decisions of the Council President, the Council President shall warn that individual that the matter is closed to discussion or that their conduct is disorderly, disruptive or defiant. If the same individual persists in discussing a matter previously closed for discussion, or continues to conduct himself or herself in a manner which has been deemed by a final decision of the Council President to be disorderly, disruptive or defiant, the Council President shall have the authority to cause the removal of the individual from the meeting.



View the entire Resolution:
<https://bit.ly/bok-rules-regs>