

April 15, 2025  
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:32 p.m. in the Kutztown Train Station by the Vice President, Mr. Derek Mace, with other members of Borough Council present: Mr. Edwin Seyler, Ms. Lisa Ladd-Kidder, Mr. Frederick Engelhardt, and the Mayor, Mr. James Schlegel. President Kevin Snyder and Council member George Kusterer were absent. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Police Chief Mike Clery; Mr. Brian Bailey, Public Works Superintendent; Ms. Sharon Dalickas, Finance Director/Assistant Treasurer/Acting Assistant Borough Manager; Kutztown Planning Commission representative Bob Weller; Borough Parks and Recreation Director John Schmoyer; Acela representatives Dan Witzak, Bill Stank, and Briana Zelna; Scouts of America representatives Charlie and James Lavvia; and residents Neal Christman, Chris Adam, Sean Donnelly, Tim Vanek, Todd Greiss II, John Fry, and Eric Boyer were also present.

Vice President Mace noted that President Snyder and Councilman George Kusterer were absent, and he wished them well.

Vice President Mace noted the following vacancies:

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

Vice President Mace asked if there was anyone who wished to address Council before proceeding with the agenda.

Neal Christman, from 320 Baldy Street, addressed Council regarding excessive speeding on his street. He said that there are no officers present unless there is an emergency, and that he cannot park in front of his home.

Mr. Christman also submitted a letter to Council on behalf of his neighbors at 310 S. Baldy Street.

Chris Adam, from 323 Pennsylvania Avenue, added that engines are frequently revving at 60mph and he feels there is no control over it. He noted that the digital speed monitor near Rite Aid seems to work well.

Mr. Mace acknowledged that it is an issue, and that Council was exploring a crosswalk with Kutztown University (KU) and Maxatawny Township, but it did not come to fruition because KU did not want to install a corner.

Chief Clery explained that municipal police cannot use radar, so a \$6,000.00 machine would be needed that is required to be managed by two people and cannot be left unsupervised. He noted that the Police Department could mount a portable monitor to a pole in the area.

Mr. Adam asked who has jurisdiction over Baldy Street, and Chief Clery responded that it is the State Police, the Borough, and Maxatawny Township.

Ms. Ladd-Kidder stated that she believes enforcement is needed and maybe a change to “permit parking only.”

Mr. Mace agreed and said it should be placed on the agenda for the next Community Development and Public Safety Committee meeting.

Mr. Mooney said that the Borough will need to reach out to the engineer for a potential traffic study.

Tim Vanek, from 101 S. Laurel Street, suggested that a four-way stop is needed at S. Laurel and Grimley Streets, or possibly a speed table that slows down traffic.

Mr. Mace noted that this should also be placed on the agenda for the next Community Development and Public Safety Committee meeting.

Mr. Vanek asked what was happening with the gas lines in the area, and Mr. Seyler responded that UGI is replacing the lines and repaving the road.

Jon Fry, from 127 Noble Street, asked Council to write a letter of support and condemnation of political violence due to the recent arson at the Governor's Mansion.

Mr. Mace and Mr. Seyler liked the idea, and Mr. Mace said it should be added to the next Community Development and Public Safety Committee meeting agenda.

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

- Review and accept the Minutes of the March 18, 2025, Borough Council meeting.
- Review and accept the Borough Community Development Report for March 2025.
- 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 15, 2025, through April 11, 2025.

|                           |              |
|---------------------------|--------------|
| General Fund              | \$127,349.95 |
| Refuse and Recycling Fund | \$45,909.64  |
| Water Fund                | \$96,625.81  |
| Electric Fund             | \$280,578.20 |

|                         |              |
|-------------------------|--------------|
| Sewer Fund              | \$128,253.93 |
| Telecommunications Fund | \$51,137.02  |

Passed by unanimous vote.

Under Borough Planning Commission, Bob Weller said that he did not have anything new to report; however, he apprised Council of the Planning Commission's recommendation letter regarding 426 W. Main Street, which had been provided to them before the Council meeting.

Mayor Schlegel thanked Mr. Weller for purchasing new flags for the Band Shell.

Under Environmental Advisory Commission, Ms. Ladd-Kidder explained the proposed recommendation letter to SOLO Labs, and a spelling error was found. Ms. Wiand said she would fix the error before sending out the letter.

A motion was made by Ms. Ladd- Kidder, seconded by Mr. Engelhardt, Resolved, To approve the Environmental Advisory Commission's comment letter to SOLO Labs in response to their Permit Renewal Application #06-03184. Passed by unanimous vote.

Under Community Development and Public Safety Committee, the Monthly Police Report for March 2025 was submitted.

The following fines were collected:

|                        |            |            |
|------------------------|------------|------------|
| District Justice Greth | March 2025 | \$1,353.35 |
| Clerk of Common Pleas  | March 2025 | \$274.01   |
| Secretary's Office     | March 2025 | \$1,150.00 |

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve Jolly Journeys Childcare Center Preschool to have their graduation in the Band Shell on August 2, 2025. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To

approve the request from the Kutztown Elementary kindergarten classes to use the Ceres Pavilion on May 14, 2025, with a rain date of May 22, 2025, and to waive the rental fee. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve the request from the Allentown and Auburn Railroad to use the Train Station for several dates in 2025. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the Fireworks Permit for Kutztown Day, on August 3, 2025, and to waive the \$500.00 filing fee. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve the 2025 Summer Concert Series schedule. Passed by unanimous vote.

Mr. Seyler and Vice President Mace thanked Mr. Schmoyer for his work.

Acela representatives Dan Witczak, Bill Stank, and Briana Zelna reviewed the plans for the proposed Public Works and Municipal Building Complex, and a lengthy conversation ensued.

Mr. Stank showed a sample panel of the siding for the building, except for the stair tower that will have a different panel.

Ms. Ladd-Kidder asked why there are two doors in the front.

Mr. Stank replied that there is not enough clearance for ADA doors in the vestibule.

Ms. Ladd-Kidder asked how ice jams would be prevented in the winter.

Mr. Stank replied that it will drain like any other roof with a slope.

Mr. Mace asked if they would need to be cleaned out.

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Mr. Stank replied that there is a ladder and a strainer to inspect for leaves.

Ms. Ladd-Kidder asked if there would be window screens in the administrative office area windows and if the windows are energy efficient

Mr. Stank responded yes to both questions.

Ms. Ladd-Kidder asked if the internal downspouts are daylighted.

Mr. Stank responded that they are.

Ms. Ladd-Kidder asked if the tape on the roof membranes have been used for a while.

Mr. Stank said they have been used for about 12 years.

Mr. Mace asked if there is a significant price difference for a fully pitched roof versus a flat roof.

Mr. Stank stated that all roofs come with warranties to cover leaks.

Mr. Khalife noted that we can bid for an additional warranty for roof damage.

Ms. Ladd-Kidder asked who would install the roof.

Mr. Stank replied that the roofing contractor has a subcontractor for installation.

Ms. Ladd-Kidder asked how ISO boards are laid.

Mr. Stank stated that they have staggered joints overlapping 50%.

Ms. Ladd-Kidder asked about the amount of weight the roof would hold.

Mr. Stank said that he will need to find out the live load and dead load weights.

Mr. Mace asked if the corrugated siding would be loud.

Mr. Stank replied that there are fasteners every 16" so it should not be loud.

Council asked Brian Bailey if he had anything to add, and he replied that everyone was included in the decision making and he thinks "we are covered."

Mr. Mace noted that he does not like decorative panels.

Ms. Ladd-Kidder suggested that the daylighting will not work.

Mr. Stank and Mr. Witzak replied that there would be a swale with river rock to accommodate it.

Mr. Witzak also said that he can run calculations that show how it complies, and if it does not, they will make it comply.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve sending the proposed Public Works and Municipal Building Complex plans out for bid. Passed by unanimous vote.

Mr. Khalife noted that the total cost estimate could range between \$7.5 and \$9 million dollars depending on tariffs.

Mr. Witzak laid out the following bid schedule: release the bids on May 1; bids will be due on June 3; and a required site visit will be held in mid-May.

Ms. Ladd-Kidder asked Mr. Witzak if Acela would assist with reviewing the bids.

He replied that they would create a bid tabulation and work with our solicitor.

Mr. Mooney noted that the Borough would need to award the lowest responsible bidder.

Ms. Ladd-Kidder noted that Council will need to know if we are selecting a reputable company.

Mr. Witzak said that he will give their recommendation and that it will be a lump sum bid.

Ms. Ladd-Kidder reminded Mr. Witzak that the Borough needs to know the cost

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difference between 25-year and 30-year roof warranties.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the quote from Building Recyclers to take down a portion of the Shoe Building, at a cost of \$15,000.00. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Engelhardt, seconded by Ms. Ladd-Kidder, Resolved, To appoint Drew Myers, to the Borough Planning Commission, whose term shall expire on January 1, 2029. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, seconded by Mr. Seyler, Resolved, To hire Tommy Lazorik, as the Environmental Advisory Commission intern, for the 2025 season. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, seconded by Ms. Ladd-Kidder, Resolved, To approve the temporary summer hire of Andrew Khalife to assist the Finance Director with the current year cancelled bank check reconciliation process and to perform other administrative assistance, during mid-May 2025, through the first half of July 2025, for 15 to 20 hours per week, at a rate of \$15.00 per hour. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, seconded by Mr. Seyler, Resolved, To ratify the advertisement for Police Officer testing candidates to include those with and without Act 120 Certification and for the Borough to assist in the cost of a non-Act 120 candidate to attend Cadet Training if selected from the list currently being formulated. Passed by unanimous vote.

Mr. Engelhardt deferred an Executive Session to discuss personnel and legal matters until the end of the meeting.

Under Finance and Electric Committee, Vice President Mace noted that the



Borough's Electric Department earned an award, from The American Public Power Association, for achieving exceptional electric reliability in 2024. Council congratulated Superintendent Steve Diehl and the electric crew on their achievement.

Under Telecommunications and Information Technologies Committee, there was nothing to report.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To appoint Colby Snyder, of Herbert, Rowland & Grubic, Inc., as the Sewage Enforcement Officer for the Borough. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve partial reimbursement of a water heater (50% of the plumber's invoice), in the amount of \$820.85, to the owner of 101 S. Laurel Street. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To ratify a sewer credit, in the amount of \$170.10, for the tenant of 330 W. Main Street, second floor, due to a failed pressure relief valve/expansion tank. Passed by unanimous vote.

Under Miscellaneous, Vice President Mace called for an Executive Session to discuss personnel and legal matters at 9:00 p.m. The Executive Session ended, and the meeting was reconvened at 9:25 p.m.

A motion was made by Mr. Engelhardt, seconded by Mr. Seyler, Resolved, To approve the KPA request for approval to offer a donation of sick time to Officer Matthew Yerger pursuant to the conditions in the KPA agreement. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, seconded by Mr. Seyler, Resolved, To

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approve the AFSCME request for approval to offer a donation of sick time to Travis Diehl pursuant to the conditions in the AFSCME mutual agreement. Passed by unanimous vote.

Borough Council wished Ms. Wiand a Happy Birthday!

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 9:26 p.m.

Prepared and Attested by: Gina M. Wiand  
Borough Secretary

Derek D. Mace and Gina M. Wiand hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from March 15, 2025, through April 11, 2025, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

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Derek D. Mace

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Gina M. Wiand