

January 3, 2022
Kutztown, PA

A reorganization meeting of the Kutztown Borough Council was called to order at 7:34 p.m. in the Kutztown Train Station by Mayor James Schlegel, with other members of Borough Council present: Mr. Kevin Snyder, Mr. Edwin Seyler, Ms. Arabel Elliott, Ms. Lisa Ladd-Kidder and Mr. George Kusterer. Mr. Derek Mace was absent. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Magisterial District Judge Gail Greth; visitor Daniel Schlegel; and residents Merry Schlegel and Andrew Schlegel were also present.

Judge Greth administered the oath of office to Mayor James Schlegel, and Council members Kevin Snyder and Arabel Elliot.

Mayor Schlegel declared the nominations open for the office of President of Council. Ms. Ladd-Kidder nominated Kevin Snyder for President of Council. Passed by unanimous vote.

Mayor Schlegel turned over the gavel and control of the meeting to Council President Snyder.

President Snyder declared nominations open for the office of Vice President of Council. Mr. Seyler nominated Derek Mace for Vice President of Council. Passed by unanimous vote.

Mr. Mooney said that Mr. Mace has 30 days to be sworn in.

President Snyder declared nominations open for the office of President Pro Tem of Council. Mr. Seyler nominated Arabel Elliott for President Pro Tem of Council.

Passed by unanimous vote with Ms. Elliott abstaining from the vote.

A motion was made by Mr. Snyder, seconded by Mr. Seyler, Resolved, To appoint Barbara Smith to the Vacancy Board for 2022. Passed by unanimous vote.

President Snyder appointed the following Chairpersons to the standing committees for 2022 and 2023:

Community Development and Public Safety Committee:

Chairperson: George Kusterer

Members: Derek Mace and Arabel Elliott

Finance and Electric Committee:

Chairperson: Derek Mace

Members: Kevin Snyder and Ed Seyler

Personnel Committee:

Chairperson: Arabel Elliott

Members: Kevin Snyder and George Kusterer

Public Works Committee:

Chairperson: Kevin Snyder

Members: Ed Seyler and Lisa Ladd-Kidder

Telecommunications and Information Technologies Committee:

Chairperson: Lisa Ladd-Kidder

Members: Arabel Elliott and George Kusterer

Water and Wastewater Committee:

Chairperson: Ed Seyler

Members: Derek Mace and Lisa Ladd-Kidder

President Snyder appointed Arabel Elliott and George Kusterer to the Police Pension Advisory Committee.

President Snyder appointed the following ad-hoc committee representatives for 2022 and 2023:

Kutztown Community Library Board

Arabel Elliott

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Kutztown Day Committee

Ed Seyler

Center for Community Leadership

Jim Schlegel

Berks Municipal Partnership

Jim Schlegel

Environmental Advisory Committee

Lisa Ladd-Kidder

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To appoint the law firm of Barley Snyder, LLC, as the Borough Solicitor for 2022. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To appoint Herbert, Rowland & Grubic, Inc., as the Borough planning and water/wastewater consulting engineer to provide consulting services as requested and duly authorized. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To appoint Great Valley Consultants as the Borough transportation consulting engineer to provide consulting services as requested and duly authorized. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To appoint Utility Engineers PC as the Borough electrical consulting engineer to provide consulting services as requested and duly authorized. Passed by unanimous vote.

President Snyder asked if there was anyone who wished to address Council before proceeding with the agenda. There were no public comments.

Under Community Development and Public Safety Committee, a motion was made by Mr. Seyler To appoint Stephen H. Price, Esq., and the firm Mogel, Speidel,

Bobb & Kershner, as solicitor for the Zoning Hearing Board; Code Appeals Board; Housing License Appeals Board; and the Civil Service for 2022. The motion died for lack of a second.

A motion was made by Mr. Seyler seconded by Mr. Kusterer, Resolved, To appoint Stephen H. Price, Esq., and the firm Mogel, Speidel, Bobb & Kershner, as solicitor for the Zoning Hearing Board; Code Appeals Board; Housing License Appeals Board; and the Civil Service, until a new solicitor is hired. Passed by unanimous vote.

Under Public Works Committee, there was nothing to report.

Under Personnel Committee, there was nothing to report.

Under Finance and Electric Committee, there was nothing to report.

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 Terry Napp, of Herbert, Rowland & Grubic, Inc., as the Sewage Enforcement Officer for the Borough for 2022. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To adopt the following Resolution:

RESOLUTION NO. 1-2022

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING A SCHEDULE OF FEES, CHARGES AND EXPENSES FOR PROFESSIONAL CONSULTANTS AND ENGINEERS UTILIZED BY THE BOROUGH OF KUTZTOWN FOR THE REVIEW AND REPORT OF SUBDIVISION AND LAND DEVELOPMENT, STORMWATER MANAGEMENT AND FLOODPLAIN REGULATIONS SUBMITTALS TO THE BOROUGH OF KUTZTOWN.

IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania, in conformity with the Pennsylvania Municipalities Planning Code, as from time to time amended, Chapter 195 "Subdivision and Land

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Development", Chapter 189 "Stormwater Management" and Chapter 123 "Floodplain Management" of the Code of the Borough of Kutztown to adopt the following schedule of fees, charges and expenses incurred by the Borough for the review and report of Subdivision and Land Development Plans and Stormwater Management, which shall be chargeable to Developers/Applicants, as follows:

SECTION 1 - Legal Consultants

Hourly rates shall be as listed below:

1. General Municipal Law Services (all matters not described in II below)

Solicitor and Solicitor's Partners	\$200.00
Associates in Solicitor's Office	\$190.00
Paralegals in Solicitor's Office	\$105.00
Other Legal Consultants	
Such fees, charges and expenses shall be the same as the charges incurred by the Borough for such Legal Consultants.	

2. Specialized Services (travel time to be charged only from Reading office)

	Partner	Associate	Paralegal
Telecommunications	\$245.00	\$220.00	\$115.00
Labor/Employment/Benefits	\$245.00	\$220.00	\$115.00
Environmental	\$245.00	\$220.00	\$115.00
Litigation (excluding (i) code enforcement; (ii) zoning; and (iii) minor collection/eviction matters, in each case not involving other issues, claims or counterclaims)	\$245.00	\$220.00	\$115.00
Municipal Finance (bonds)	Fees negotiated per transaction		

3. Legal Services for the Kutztown Zoning Hearing Board, Code Appeals Board, Housing License Appeals Board and the Civil Service Commission

Legal Services to the Zoning Hearing Board	\$175.00
Legal Services to the Civil Service Commission	\$175.00
Retainer for the Code Appeals Board	\$1,800.00 (annual fee)

Retainer for the Housing License Appeals Board

\$1,800.00
(annual fee)

SECTION 2 - Engineering Consultants

Hourly rates shall be as listed below:

1. Borough Water/Wastewater and Planning/Zoning Engineer and Staff

Administration I	\$55.00 - \$70.00
Administration II	\$70.00 - \$85.00
Environmental Scientist I	\$85.00 - \$110.00
Environmental Scientist II	\$110.00 - \$135.00
Senior Environmental Scientist	\$135.00 - \$145.00
Planner I	\$85.00 - \$105.00
Planner II	\$105.00 - \$130.00
Senior Planner	\$130.00 - \$145.00
Landscape Architect I	\$85.00 - \$110.00
Landscape Architect II	\$110.00 - \$130.00
Senior Landscape Architect	\$130.00 - \$145.00
Surveyor I	\$70.00 - \$95.00
Surveyor II	\$95.00 - \$125.00
Senior Surveyor	\$125.00 - \$145.00
GIS Professional I	\$85.00 - \$115.00
GIS Professional II	\$115.00 - \$135.00
Senior GIS Professional	\$135.00 - \$155.00
Resident Project Representative I	\$70.00 - \$105.00
Resident Project Representative II	\$105.00 - \$125.00
Senior Resident Project Representative	\$125.00 - \$145.00
Junior Technician	\$60.00 - \$70.00

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Technician I	\$85.00 - \$110.00
Technician II	\$110.00 - \$135.00
Senior Technician	\$135.00 - \$150.00
Financial Services Professional I	\$105.00 - \$130.00
Financial Services Professional II	\$130.00 - \$140.00
Senior Financial Services Professional	\$140.00 - \$155.00
Engineering Professional I	\$110.00 - \$130.00
Engineering Professional II	\$130.00 - \$150.00
Project Engineer	\$150.00 - \$160.00
Senior Project Engineer	\$160.00 - \$175.00
Assistant Project Manager	\$125.00 - \$150.00
Project Manager	\$150.00 - \$165.00
Senior Project Manager	\$165.00 - \$175.00
Operations Manager/Senior Technical Leader	\$160.00 - \$190.00
Principal	\$175.00 - \$190.00
Billable Expenses	
Absorbent Sock - Small Size/Large Size	\$3.50/\$5.00/Each
All Terrain Vehicle	\$100.00/Day
Boilers	\$8.50/Each
Copies/Prints	
Color Copies – 11” x 17”	\$.60/Copy
Color Copies – 8.5” x 14”	\$.48/Copy
Color Copies – 8.5” x 11”	\$.40/Copy
Photocopies	\$.15/Copy
Wide Format Printing/Copying	\$.50/Square Foot

Concrete Monuments	\$30.00/Each
Hydrographic System	\$100.00/Day
Instrumentation/Meters	
Mini-Monsoon Sampling System	\$60.00/Day
Oil/Wafer Interface Probe	\$60.00/Day
Photoionization Detector	\$100.00/Day, \$250.00/Weekly
Water Level Indicator— Solinst	\$28.00/Day. \$14.00/Half Day
Water Level Indicator 200' – Heron	\$30.00/Day
Lodging	At Cost
Maps, Permits, Licenses	At Cost
Meals	At Cost
Mileage	IRS Allowable
Miscellaneous Charges	At Cost
Pocket Colorimeter	\$50.00/Day
Postage	As Weighed
Pumps	
Peristaltic Pump	\$40.00/Day
Whale Pump	\$30.00/Day
Rotary Hammer Drill Kit	\$100.00/Day, \$50.00/Half Day
Slam Bar/Bucket Auger	\$10.00/Day
Sub-Surface Inspection Pole Camera	\$75.00/Day
Technology Equipment Charge	\$100.00/Day
Traffic Counters	\$25.00/Day
Tubing	
1/4" Tubing	\$.13/Foot
1/2" Tubing	\$.25/Foot
3/16" x 3/8" Silicone Tubing	\$1 .85/Foot

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All expenses are subject to a 10% markup, including, but not limited to travel, printing, postage, survey supplies, etc.

2. Borough Electrical Engineering Consultants

Principal	\$110.00
Senior Professional	\$110.00
Project Manager	\$110.00
Engineer	\$70.00
Designer	\$65.00
CADD Operator	\$65.00
Support Staff	\$35.00

3. Borough Transportation Engineering Consultants

Rod Person; Engineering Aide	\$36.00-\$ 40.00
Administrative Assistant	\$56.00-\$60.00
Instrument Person; Survey Party Chief	\$67.00-\$ 70.00
Registered Surveyor	\$92.00-\$ 96.00
Design Drafter/Design Technician	\$84.00-\$ 90.00
Senior Technician	\$88.00-\$ 92.00
Construction Observer; Code Officer	\$75.00-\$ 82.00
Engineer/Designer	\$90.00-\$ 96.00
Senior Designer; Project Engineer; Project Manager; Senior Construction Observer	\$105.00-\$110.00
Senior Project Engineer; Senior Planner; Senior Project Manager; Senior Architect; Technical Manager; Principal	\$115.00-122.00
Travel – Mileage Rate	\$0.56 per mile*

(*The rate established by the IRS changes periodically, and the actual travel rate will be the rate allowed by the IRS.)

4. Other Engineering Consultants

Such fees, charges and expenses shall be at cost plus 10% as received from such Consultants.

SECTION 3 - Other Consultants

Such fees, charges and expenses shall be the same as the charges incurred by the Borough of Kutztown for such Consultants.

SECTION 4 - Miscellaneous Charges and Disbursement Expenses

Miscellaneous charges and disbursement expenses incurred by the Borough for the services of the above-noted Consultants in the performance of the reviews and reports required by Chapter 195 "Subdivision and Land Development", Chapter 189 "Stormwater Management" and Chapter 123 "Floodplain Regulations" of The Code of the Borough of Kutztown shall be charged to the Developer/Applicant at the same rate as charged to the Borough for such expenses.

SECTION 5 - Such fees, charges and expenses as herein listed shall be the same as would be charged to the Borough when such fees, charges and expenses are not reimbursable.

Such fees, charges and expenses as herein listed shall be on file and available upon request to the Developer/Applicant for review.

SECTION 6 - The Borough of Kutztown reserves the right to adopt additional fees, charges and expenses, and to modify the fees, charges and expenses listed herein.

Upon adoption or modification of this Resolution, any and all Developers and/or Applicants currently being charged for such services, as allowed by the Pennsylvania Municipalities Planning Code, as from time to time amended, shall be notified of such within ten (10) days of adoption.

SECTION 7 - Capitalized terms used herein without definition shall have the meanings attributed thereto by the Pennsylvania Municipalities Planning Code and/or Chapter 195 "Subdivision and Land Development", Chapter 189 "Stormwater Management" and Chapter 123 "Floodplain Regulations" of The Code of the Borough of Kutztown, as appropriate.

SECTION 8 - All Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

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ADOPTED by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in
lawful session duly assembled this 3rd day of January, 2022.

Passed by unanimous vote.

President Snyder noted the following vacancies:

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

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To adjourn
the reorganization meeting upon vote. Passed by unanimous vote. The meeting ended at
7:55 p.m.

Prepared and Attested by: Gina M. Wiand
Borough Secretary