

January 6, 2020
Kutztown, PA

A reorganization meeting of the Kutztown Borough Council was called to order at 7:36 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. Amanda Raudenbush and Mr. Zebulon Hull. Mr. Derek Mace was absent. Ms. Emma Boyle, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; visitors Robin and Steve Jensen; and residents Dick Diehm, Jim Raudenbush, Warren Shaub and Ivy Day were also present.

Mayor Schlegel administered the oath of office to Council members Edwin Seyler, Amanda Raudenbush and Zebulon Hull.

Mayor Schlegel declared the nominations open for the office of President of Council. Mr. Seyler 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.

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.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To
appoint Barbara Smith to the Vacancy Board for 2020. Passed by unanimous vote.

President Snyder appointed the following Chairpersons to the standing
committees for 2020 and 2021:

Community Development and Public Safety Committee:

Chairperson: Amanda Raudenbush
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 Amanda Raudenbush

Public Works Committee:

Chairperson: Kevin Snyder
Members: Ed Seyler and Zebulon Hull

Telecommunications and Information Technologies Committee:

Chairperson: Zebulon Hull
Members: Arabel Elliott and Amanda Raudenbush

Water and Wastewater Committee:

Chairperson: Ed Seyler
Members: Derek Mace and Zebulon Hull

President Snyder appointed the following ad-hoc committee representatives for
2020 and 2021:

Kutztown Community Library Board

Arabel Elliott

Kutztown Day Committee

Ed Seyler

Center for Community Leadership

Jim Schlegel

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Berks Municipal Partnership

Jim Schlegel

Environmental Advisory Committee

Kevin Snyder

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 2020. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, 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. Raudenbush, 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 Ms. Raudenbush, seconded by Mr. Seyler, 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.

Warren Shaub asked if any thought had been given to his previous request of putting public comments at the end of the meeting. Mr. Khalife responded that he only received two responses from those he reached out to, but he hopes to get more. Mr. Seyler suggested allowing the two new Council members some time to think about it before making a decision.

Phila Back commented that it was very hard to hear from the audience.

Ivy Day complained about the cost of her electric and water bills.

Under Community Development and Public Safety Committee, a motion was made by Ms. Raudenbush, seconded by Mr. Seyler, 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 for 2020. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve Change Order No. 2, to Schlouch Incorporated, for the 2019 Street and Storm Sewer Improvements Project, in the amount of \$31,405.00. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Elliott, seconded by Mr. Seyler, Resolved, To approve a 3% increase for library employees Janet Yost and Taylor Kutz. Passed by unanimous vote.

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. Elliott, Resolved, To appoint Ed Spayd, of Herbert, Rowland & Grubic, Inc., as the Sewage Enforcement Officer for the Borough for 2020. Passed by unanimous vote.

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

RESOLUTION NO. 1-2020

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 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

Junior Technician	\$60.00
Administrative Staff	\$70.00
Technician I	\$100.00
Technician II	\$110.00
Senior Technician	\$120.00
Staff Professional I	\$115.00
Staff Professional II	\$120.00
Project Professional	\$150.00
Senior Professional	\$165.00
Principal	\$175.00
2. Borough Electrical Engineering Consultants

Principal	\$100.00
Senior Professional	\$95.00
Project Manager	\$85.00
Engineer	\$70.00

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Designer	\$55.00
CADD Operator	\$50.00
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	\$0.58 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.

ADOPTED by the Council of the Borough of Kutztown, Berks County,

Pennsylvania, in lawful session duly assembled this 6th day of January, 2020.

Passed by unanimous vote.

President Snyder noted the following vacancies:

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

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To adjourn the reorganization meeting upon vote. Passed by unanimous vote. The meeting ended at 8:03 p.m.

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Prepared and Attested by: Gina M. Wiand
Borough Secretary