

February 17, 2026  
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 President, Kevin Snyder, with other members of Borough Council present: Dr. Derek Mace, Mr. Edwin Seyler, Ms. Lisa Ladd-Kidder, Mr. George Kusterer, Ms. Katharine Keegan, and the Mayor, Mr. James Schlegel. 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; Ms. Sharon Dalickas, Finance Director/Assistant Treasurer/Acting Assistant Borough Manager; Kutztown Planning Commission representatives Joel Seidel and Chad Master; and Borough resident Fred Engelhardt were also present.

Mr. Kusterer opened the meeting with a prayer.

President Snyder noted that Borough Council met in Executive Session on the evenings of January 6 and February 3, 2026, to discuss personnel items related to the Borough Manager search.

President Snyder noted the following vacancies:

|                                    |   |
|------------------------------------|---|
| Code Appeals Board:                | Four Member Vacancies<br>One Alternate Vacancy    |
| Planning Commission:               | One Member Vacancy                                |
| Zoning Hearing Board:              | Two Alternate Vacancies                           |
| Housing License Appeals Board:     | Two Member Vacancies<br>Three Alternate Vacancies |
| Environmental Advisory Commission: | One Member Vacancy                                |

President Snyder asked if there was anyone who wished to address Council before

# 12875

proceeding with the agenda.

Fred Engelhardt addressed Council about a “proposed framework for the creation of the Kutztown Borough Economic Development Committee.” He acknowledged that the Kutztown Community Partnership (KCP), Community Development and Public Safety Committee, and the Planning Commission all work on aspects of economic development, but he thinks a formal recommending body could take the pressure off those groups to do it all.

Ms. Keegan agreed that the other groups have “gaps and limited resources,” and she sees this as a positive proposal. President Snyder and Ms. Ladd-Kidder agreed.

Mr. Kusterer said that all the existing groups should work together, instead of starting a new one, and he encouraged Mr. Engelhardt and Ms. Keegan to attend KCP meetings.

Mr. Engelhardt noted that he is not dismissing the work of the other groups and would like to include those who are already involved as well as new people who want to help.

A motion was made by Ms. Keegan, seconded by Ms. Ladd-Kidder, Resolved, To refer the proposal to the Community Development and Public Safety Committee. Passed by unanimous vote.

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

- Review and accept the Minutes of the January 20, 2026, Borough Council meeting.
- Review and accept the Borough Community Development Report for January 2026.

- Take action on the request from the American Legion Post No. 480 to hold its annual Memorial Day Parade on May 25, 2026, and to waive any associated fees.
- 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 January 17, 2026, through February 13, 2026.

|                           |              |
|---------------------------|--------------|
| General Fund              | \$131,943.94 |
| Refuse and Recycling Fund | \$64,311.72  |
| Water Fund                | \$396,897.83 |
| Electric Fund             | \$373,864.44 |
| Sewer Fund                | \$363,700.84 |
| Telecommunications Fund   | \$44,452.63  |

Passed by unanimous vote.

Under Borough Planning Commission, Joel Seidel reviewed the proposed changes to the Short-Term Rental Ordinance with Council.

Borough Council had questions and reservations about the Ordinance.

Mr. Mooney clarified that if a rental exceeds 30 days in a row, it is not considered a short-term rental. He also said that there is Pennsylvania case law that states you must allow for short-term rentals or your Ordinance can be considered exclusionary. In addition, he stated that someone cannot have both a student housing permit and a short-term rental.

Mr. Khalife encouraged Council members to closely look at other places that have a short-term rental Ordinance.

Ms. Ladd-Kidder stated her fear that these short-term rentals could be a detriment to the community.

Ms. Keegan asked Mr. Mooney if he thinks that the draft Ordinance from the Planning Commission covers the Borough as best as possible, and he responded that

# 12877

he thinks it does and that Council should enact something before it runs out of options.

No action was taken.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, the Monthly Police Report for January 2026 was submitted.

The following fines were collected:

|                        |              |            |
|------------------------|--------------|------------|
| District Justice Greth | January 2026 | \$2,357.85 |
| Clerk of Common Pleas  | January 2026 | \$10.42    |
| Secretary's Office     | January 2026 | \$2,775.00 |

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To approve the request from the Keystone Agility Club to have a "Sniff-N-Go" dog event, in the Park on June 27, 2026; to utilize several pavilions; and to waive associated fees. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Dr. Mace, Resolved, To approve the request from the Kutztown Community Choir to use the Band Shell, on June 16, 2026, at 7:30 p.m., for their annual Flag Day Concert, and to waive the rental fee. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Dr. Mace, Resolved, To approve Payment No. 5, in the amount of \$431,110.24, from Kinsley Construction, for the Public Works and Administration Building project. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Dr. Mace, Resolved, To approve the request from the Environmental Advisory Commission, to pursue a grant in the amount of \$1,400.00 for an April tree planting project at North Park, and to have the

Borough cover the \$1,400.00 cost of the trees and supplies if the grant is not awarded.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To approve the Keiter Alley Storm Sewer Improvements Project formal permission letter with the owners of 240 Greenwich Street. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve a five-year parking lease with 207 Railroad LLC. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the request from the Kutztown Area School District to use the Park Softball Field, Sr. Field, and Timothy Breidegam Memorial Legion Field for their baseball and softball programs practices, games, as extra as needed, starting in March 2026. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the request from Owen Macfarlane to do trail maintenance and bridge repair work at the Sacony Creek Trail for his Eagle Scout project. Passed by unanimous vote.

Under Personnel Committee, an Executive Session to discuss personnel and legal matters was deferred until the end of the meeting.

Under Finance and Electric Committee, a motion was made by Dr. Mace, seconded by Ms. Ladd-Kidder, Resolved, adopt the following Resolution:

RESOLUTION NO. 3-2026

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 1-2025 OF THE BOROUGH OF KUTZTOWN AND §A231-2 OF CHAPTER A231 OF THE CODE OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, ENTITLED “BOROUGH LABOR AND EQUIPMENT

# 12879

## RATES,” FIXING THE BILLING RATES FOR BOROUGH OF KUTZTOWN LABOR AND EQUIPMENT.

IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown, County of Berks, Commonwealth of Pennsylvania as follows:

SECTION 1 - The Borough of Kutztown shall charge the following billing rates for Borough labor and equipment:

### SECTION 2 - Labor Rates

|   | <u>Straight Time<br/>1/2 hr. Min Charge</u> | <u>Straight Time<br/>Hourly Charge</u> | <u>Overtime<br/>Hourly Charge</u> |
|---|---|--|-----------------------------------|
| Electric Division<br>Hourly Personnel     | \$33.25                                     | \$66.50                                | \$99.75                           |
| Water Division<br>Hourly Personnel        | \$28.00                                     | \$56.00                                | \$84.00                           |
| Wastewater Division<br>Hourly Personnel   | \$28.00                                     | \$56.00                                | \$84.00                           |
| Telecom Division<br>Hourly Personnel      | \$28.00                                     | \$56.00                                | \$84.00                           |
| Public Works Division<br>Hourly Personnel | \$27.00                                     | \$54.00                                | \$81.00                           |
| Clerical<br>Hourly Personnel              | \$23.25                                     | \$46.50                                | \$69.75                           |
| Administrative<br>Personnel               | \$36.75                                     | \$73.50                                | N/A                               |
| Public Safety Division<br>Police          | \$60.50                                     | \$120.75                               | N/A                               |
| Community Service Officers                | \$15.75                                     | \$31.50                                | \$47.25                           |

### Billing Notes:

1. The billing of straight-time rates or overtime rates will be determined in accordance with the actual application of pay required from the Borough of Kutztown (Employer) to the Borough employee(s).
2. A minimum of one-half (1/2) hour shall be billed for work performed while the employee(s) are receiving straight-time compensation, and to the nearest quarter hour from the total thereafter.
3. A two (2) hour minimum of overtime shall be billed for special call-outs when the employee is entitled to overtime and two (2) hour minimum compensation, and to the nearest quarter hour from the total thereafter.
4. Administration classification includes Code Inspector and Planning & Code Office Administrator.
5. A flat fee of \$10.00 will be charged for special pick up of discarded Christmas trees as per policy adopted by Kutztown Borough Council.

SECTION 3 - Equipment Rates (THESE RATES DO NOT INCLUDE LABOR/OPERATOR RATES)

NOTE: ALL EQUIPMENT MUST BE OPERATED BY A BOROUGH EMPLOYEE UNLESS OTHERWISE AUTHORIZED BY A BOROUGH SUPERINTENDENT.

|                                      |                                       |
|--------------------------------------|---------------------------------------|
| Bobcat                               | \$60.00 per hour                      |
| Accessories:                         |                                       |
| Pavement breaker                     | \$30.00 per hour                      |
| Broom                                | \$26.00 per hour                      |
| Paint Sprayer (line striping)        | \$18.00 per hour                      |
| Pressure Washer                      | \$18.00 per hour                      |
| Snow Blower                          | \$15.00 per hour                      |
| Bucket Truck                         | \$60.00 per hour                      |
| Roller                               | \$30.00 per hour                      |
| Tamper - Jumping Jack                | \$15.00 per hour                      |
| Generator (large trailer-mounted)    | \$65.00 per day + fuel used           |
| Welder                               | \$22.00 per hour                      |
| Air Compressor                       | \$80.00 per day + fuel used           |
| Accessories:                         |                                       |
| Jackhammer                           | \$18.00 per day                       |
| Accessories:                         |                                       |
| 1 - ea. Pavement Breaker - Hand Held | \$8.00 per day                        |
| 1 - ea. Asphalt Cutter - 5"          | \$8.00 per day                        |
| 1 - ea. Moll Point                   | \$8.00 per day                        |
| Pick-up Truck                        | \$30.00 per hour                      |
| Dump Truck                           | \$50.00 per hour                      |
| Line Truck                           | \$60.00 per hour                      |
| John Deere Backhoe                   | \$80.00 per hour                      |
| Garbage Packer Truck                 | \$60.00 per hour                      |
| Forklift                             | \$40.00 per hour                      |
| Gator UTV                            | \$25.00 per hour                      |
| Salter/Truck                         | \$60.00 per hour plus<br>cost of salt |
| Snow Loader (Belt)                   | \$85.00 per hour                      |
| 4 Wheel Rubber Tire Loader (VOLVO)   | \$99.00 per hour                      |
| Ditch Witch Trencher                 | \$21.00 per hour                      |

# 12881

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|--|---|
| Street Sweeping (Municipalities only)                | \$50.00 per hour plus cost of labor (except Maxatawny Township for college area and surrounding areas only (College Blvd., etc.)) |
| Tamper – Vibratory plate                             | \$20.00 per hour  |
| 2” Pump  | \$10.00 per hour  |
| Accessories:   |   |
| Suction Hose Per 10’ Length                          | \$1.60 per day  |
| Discharge Hose Per 10’ Length                        | \$1.05 per day  |
| 3” Pump  | \$12.00 per hour  |
| Accessories:   |   |
| Suction Hose Per 10’ Length                          | \$2.05 per day  |
| Discharge Hose Per 10’ Length                        | \$1.60 per day  |
| Breaker for Boom Mounting                            | \$37.00 per hour  |
| Crimping Tool - Pilot Tool                           | \$8.00 per day  |
| Tapping Machine (DO NOT LOAN OUT)<br>+ Pick-Up Truck | \$38.90 per TAP<br>\$16.00 per hour   |
| Concrete Saw   | \$11.25 per hour + blade charge (\$30 Minimum blade charge; \$138.80 per 1/32 blade use)  |
| Pipe Cutter- Ductile Iron or Cast Iron               | \$22.50 per day   |
| Pipe Trailer   | \$7.20 per day  |
| Hand Tamper  | \$4.00 per day  |
| Pipe Locator - Underground Electric Line Locator     | \$8.00 per hour   |
| Pipe Locator – Water Line                            | \$8.00 per hour   |
| Leak Detector (Water)                                | \$8.00 per hour   |
| Fire Hydrant De-Chlor Equipment                      | \$10.00 per hour<br>(plus de-chlor tablets, \$0.85 @)   |
| Sewer Line Video Camera                              | \$40.00 per hour  |
| Cable Fault Locator (Electric)                       | \$8.00 per hour   |
| #18 Tractor - mowing, etc.                           | \$30.00 per hour  |
| Brush Chipper  | \$70.00 per hour  |

|   |             |   |
|---|-------------|---|
| Photocopying  |             | \$.25 per side of sheet of paper                          |
| Laminating  |             | \$.75 per page  |
| Borough Meeting DVD   |             | \$25.00 each  |
| Cones:  |             | \$1.00 per cone, per day                                  |
| Cost per each cone for replacement  |             |   |
| Cone  |             | \$17.95   |
| Cross-walk sign   |             | \$25.50   |
| Sign Stands:  |             | \$1.00 per sign, per day                                  |
| Cost per each stand for replacement   |             | \$20.00   |
| No Parking Signs  |             | Up to 5 free annually;<br>more than 5:<br>\$1.00 per sign |
| Barricades*:  |             |   |
| Cost per each barricade   | Replacement | Rental  |
| Class I Wooden (no lights)  | \$175.00    | \$3.00 per day  |
| Class II Non-metallic (w/lights)  | \$53.50     | \$7.50 per day  |
| Class III Metallic (w/lights)   | \$251.00    | \$15.00 per day   |
| Steel Plates (for securing excavations)   | Replacement | Rental  |
|   | \$1,000.00  | \$15.00 each<br>per day                                   |
| Flashers*:  |             |   |
| Cost for replacement of Flashers if lost or stolen<br>or damaged (includes batteries) |             | \$18.25 each  |

\*NOTE: Under emergency situation only, Borough can loan out barricades/flashers to contractors at the above listed fees, plus labor for set-up and removal.

SECTION 4 - In addition to labor and equipment charges, administrative expenses and overhead costs will be applied and billed for reimbursement to the Borough, with the amount and/or method of charge to be determined by the Borough Manager.

SECTION 5 - The above listed fees shall become effective February 17, 2026, through adoption of this Resolution and shall thereafter continue in effect until the same are changed by action of the Council of the Borough of Kutztown.

SECTION 6 - All Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

DULY ADOPTED AS A RESOLUTION by the Council of the Borough of  
Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled this February  
17, 2026.

# 12883

Passed by unanimous vote.

A motion was made by Dr. Mace, seconded by Mr. Kusterer, Resolved, To approve the disbursement of \$400,000.00, from the Fire Protection Tax to Kutztown Fire and Rescue, Inc., to be used for the renovation/rehabilitation of the fire house. Passed by unanimous vote.

A motion was made by Dr. Mace, seconded by Mr. Seyler, Resolved, To approve the donation of one Kutztown Family Pool pass, to the Brandywine Heights PTC, for their annual silent auction. Passed by unanimous vote.

A motion was made by Dr. Mace, seconded by Mr. Seyler, Resolved, To approve the donation of two Kutztown Family Pool passes, to Friend, Inc., for their annual benefit auction. Passed by unanimous vote.

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 Dr. Mace, Resolved, To enter into an agreement for Berks Nature to undertake the work at the Dent-Gundry Wildlife Preserve for the requested amount of \$1,500.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve a water credit for 142 Portia Boulevard in the amount of \$88.76. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve a sewer credit for 142 Portia Boulevard in the amount of \$109.73. Passed by unanimous vote.

Mr. Seyler noted that Kutztown Water Department has received its 14<sup>th</sup>

consecutive AWOP Award (Area Wide Optimization Program). Congratulations to Troy Smith, Water Plant Manager, and his department on receiving this award.

Under Miscellaneous, Mr. Khalife recognized the Public Works crew for their snow removal efforts.

President Snyder called for an Executive Session to discuss personnel and legal matters at 8:42 p.m. The Executive Session ended, and the meeting was reconvened at 9:26 p.m.

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

Kevin J. Snyder and Gina M. Wiand hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from January 17, 2026, through February 13, 2026, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

\_\_\_\_\_  
Kevin J. Snyder

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Gina M. Wiand