

February 18, 2020
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, Mr. Kevin Snyder, with other members of Borough Council present: Mr. Derek, Mace, Mr. Edwin Seyler, Ms. Arabel Elliott, Ms. Amanda Raudenbush, and the Mayor, Mr. James Schlegel. Mr. Zebulon Hull was absent. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Mr. Craig Summers, Police Chief; Ms. Judith Danko, Community Development Director; Kutztown Community Partnership/Kutztown University Community Liaison Sandy Green; Kutztown Community Partnership and Planning Commission representative Joel Seidel; Allentown & Auburn Railroad representative Mike Bast; and residents Warren Shaub and Phila Back, were also present.

President Snyder noted the following vacancies:

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

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

Phila Back read a statement to Council, demanding that they protect Borough residents from her perceived dangers of Kutztown's air quality because of the following:

1. "New warehouse at 222 and Long Lane"
2. "Expanded car racing"
3. "More trips by the coal-fired steam locomotive"

Ms. Elliott noted that after reading the Environmental Advisory Commission's annual report, it is clear from their work, that they do not share the concerns raised by Ms. Back.

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

- Review and accept the Minutes of the January 21, 2020 Borough Council meeting.
- Review and accept the Borough Community Development Report for January, 2020.
- Take action on the request from the Optimist Club to use the tennis courts, hockey rink, Brick Pavilion, bathrooms and park area, as well as the use of six barricades, on April 11, 2020 (rain or shine) for their Annual Easter Egg Hunt, and to waive any associated fees.
- Take action to approve the request from the Cub Scouts to hold their Cub Mobile Races on April 18, 2020, from 9:00 a.m. to 12:00 p.m., with a rain date of April 19, from 1:00 p.m. to 3:00 p.m., and to waive any associated fees.
- Take action to donate two family pool passes for the 2020 Friend, Inc., Community Services Benefit Auction.
- Take action to approve the Kutztown Community Partnership's parade permit application, for the Block Party on April 26, 2020, and to waive any associated fees.
- Take action on the request from the American Legion Post No. 480 to hold its annual Memorial Day Parade on Monday, May 25, 2020, and to waive any associated fees.
- Take action on the request from the Kutztown Area School District to use all athletic fields for their 2020 spring baseball and softball practices and games, and to place port-o-potties, as needed, at the fields, contingent upon receipt of an annual donation of \$2,500.00 and required insurance certificates.
- Take action to approve the 2020 summer playground program contract with the Tri-Valley YMCA.
- 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

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Report, including payment dates from January 18, 2020, through February 14, 2020, as summarized below:

General Fund	\$ 146,316.95
Refuse and Recycling Fund	\$ 31,137.39
Water Fund	\$ 84,945.68
Electric Fund	\$ 309,064.77
Sewer Fund	\$ 170,624.93
Telecommunications Fund	\$ 41,449.33

Passed by unanimous vote.

Under Borough Planning Commission, there was nothing to report.

Under Environmental Advisory Commission, President Snyder noted that the 2019 Environmental Advisory Commission Annual Report was submitted for Council's review, and he urged everyone to read the report on the Borough's Web site.

Under Community Development and Public Safety Committee, the Monthly Police Report for January, 2020 was submitted.

Ms. Raudenbush noted that the following fines were collected:

District Justice Greth	December, 2019	\$4,821.04
Clerk of Common Pleas	December, 2019	\$283.24
Secretary's Office	January, 2020	\$4,300.00

A motion was made by Ms. Raudenbush, seconded by Mr. Seyler, Resolved, To authorize the Borough Manager to gather information on the proposed State Police Tax and report his findings to Borough Council. Passed by unanimous vote.

Mr. Khalife asked if the Committee has a position regarding the proposed State Police Tax, and Ms. Raudenbush responded that they do not, because there is not enough information on how the numbers were determined.

Ms. Raudenbush provided a reminder regarding the Hailstone Strategic Plan meeting on February 25, 2020, at 7:00 p.m., at the Middle School. She urged all of

Council to read the plan and stated that she would like to take a roll call vote on the Plan at the March Council meeting.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from Kutztown Strong, to hold the Kutztown Kruizz on July 25, 2020, from 9:30 a.m. until 4:30 p.m., contingent upon securing the required permits and insurance. Passed by unanimous vote.

A motion was made by Ms. Raudenbush, seconded by Mr. Seyler, Resolved, To approve the request, from Luke Geist, to do an Eagle Scout Service Project at the Kutztown Pool, contingent upon approval by his Eagle Review Board. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve Change Order No. 3, from Schlouch Incorporated, for the 2019 Street and Storm Sewer Improvements Project, in the amount of, \$7,109.86. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve Payment No. 3, to Schlouch Incorporated, in the amount of \$48,663.48, for the 2019 Street and Storm Sewer Improvements Project, contingent upon review and recommendations from the Borough Manager and Great Valley Consultants. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To authorize Great Valley Consultants to advertise the 2020 Street and Storm Sewer Improvements Project bid. Passed by unanimous vote.

Warren Shaub asked where this is advertised, and Mr. Khalife responded that it is advertised in the Reading Eagle.

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A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To draft a Resolution authorizing the appropriate Borough staff to sell the old park truck on Municibid and to draft a Resolution. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from Cornerstone Community Church, to use the Park Band Shell and Scooter Building on June 14 and July 12, 2020, for combined church services with multiple Kutztown area congregations. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the request, from the Kutztown University Foundation, to use the Brick Pavilion for the “Golden Bear Welcome” on July 25, 2020, and to waive any associated fees. Passed by unanimous vote.

A motion was made by Ms. Raudenbush, seconded by Ms. Elliott, Resolved, To approve the Healthy Kids Running Series, in the park, on April 19 and 26, and May 3, 17 and 24, 2020. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from GT Church, to rent the Scooter Building and the Band Shell on July 19, 2020. Passed by unanimous vote.

A motion was made by Ms. Raudenbush, seconded by Mr. Mace, Resolved, To authorize the Borough Manager and the Borough Solicitor to prepare an Ordinance, regarding the vacation of the paper alley section of Baldy Alley, based on the vacation plans submitted by Great Valley Consultants. Passed by unanimous vote.

A motion was made by Ms. Raudenbush, seconded by Mr. Seyler, Resolved, To approve the request, from the Kutztown Silverbacks Youth Rugby Organization, to use

the All-Purpose Field, in the Kutztown Park for their 2020 spring season, contingent upon the receipt of required insurance certificates. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To extend the agreement with Mad Dogs, for the Park concession stand, for the 2020 season. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Elliott, seconded by Mr. Seyler, Resolved, To hire Jake Przywara, as the Environmental Advisory Commission intern; and to hire Davis Stoudt and Jeff Deturk as seasonal employees; and to authorize hiring one more Public Works seasonal employee. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Mr. Mace, Resolved, To hire Lisa Reilly, as pool manager, at a salary of \$13,000.00 for the 2020 pool season. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Mr. Seyler, Resolved, To reappoint Steve Fritz, as a member of the Telecommunications Advisory Commission, whose term shall expire on March 1, 2022. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To appoint Warren Shaub, as a member of the Environmental Advisory Commission, whose term shall expire on March 1, 2022. Passed by unanimous vote.

An Executive Session requested to discuss personnel and legal matters was deferred until the end of the meeting.

Under Finance and Electric Committee, a motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To adopt the following Resolution:

RESOLUTION NO. 5-2020

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 3-2018 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 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 1/2 hr. Min Charge</u>	<u>Straight Time Hourly Charge</u>	<u>Overtime Hourly Charge</u>
Electric Division Hourly Personnel	\$23.75	\$47.50	\$71.25
Water Division Hourly Personnel	\$23.75	\$47.50	\$71.25
Wastewater Division Hourly Personnel	\$23.50	\$47.00	\$70.50
Telecom Division Hourly Personnel	\$23.50	\$47.00	\$70.50
Public Works Division Hourly Personnel	\$22.50	\$45.00	\$67.50
Clerical Hourly Personnel	\$19.50	\$39.00	\$58.50
Administrative Personnel	\$30.50	\$60.75	N/A
Public Safety Division Police	\$49.00	\$97.75	N/A
Community Service Officers	\$13.00	\$25.75	\$38.75

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	\$45.00 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	\$11.00 per hour
Bucket Truck	\$50.00 per hour
Roller	\$28.00 per hour
Tamper - Jumping Jack	\$13.00 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	\$25.00 per hour
Dump Truck	\$50.00 per hour
Line Truck	\$55.00 per hour
John Deere Backhoe	\$78.00 per hour
Garbage Packer Truck	\$55.00 per hour
Forklift	\$30.00 per hour
Salter/Truck	\$55.00 per hour plus

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	cost of salt
Snow Loader (Belt)	\$78.00 per hour
4 Wheel Rubber Tire Loader (VOLVO)	\$99.00 per hour
Ditch Witch Trencher	\$21.00 per hour
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	\$10.00 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)	\$38.90 per TAP
+ Pick-Up Truck	\$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 (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	\$50.00 per hour
Photocopying	\$.25 per side of sheet of paper
Laminating	\$.75 per page
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
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
	Per day
Flashers*:	
Cost for replacement of Flashers if lost or stolen 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 18, 2020, 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 18, 2020.

Passed by unanimous vote.

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Off of the agenda, a motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To direct the Borough Solicitor and the Borough Financial Advisor to initiate the loan process, for a 10-year loan, for a Water and Wastewater Inflow and Infiltration project. Passed by unanimous vote.

Warren Shaub asked if the new meter fees would pay back part of this loan, and Mr. Khalife responded that they would.

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 Mr. Mace, Resolved, To extend the sludge hauling contract with Millers Sanitary Service, with a unit price per gallon increase to \$.075, effective March 21, 2020, and expiring on March 20, 2021. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the Borough's annual contribution to Berks Nature, in the amount of \$15,000.00, for their work on the Sacony Creek Watershed Water Quality Initiative. Passed by unanimous vote.

Under Miscellaneous, President Snyder noted the vacancies again and thanked Warren Shaub for applying to the Environmental Advisory Commission.

President Snyder called for an Executive Session at 8:16 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 8:50 p.m. No action was taken.

President Snyder announced that Council held an Executive Session, on February 11, 2020, prior to the Community Development and Public Safety Committee meeting,

and that no action was taken.

A motion was made by Mr. Mace, seconded by Ms. Raudenbush, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:51 p.m.

Prepared and Attested by: Gina M. Wiand
Borough Secretary

Kevin Snyder and Gina Wiand hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from January 18, 2020, through February 14, 2020, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand