

February 19, 2019
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:31 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, Mr. Scott Piscitelli, Ms. Arabel Elliott, and the Mayor, Mr. James Schlegel. Mr. Richard Diehm was absent. Mr. Keith Mooney, Borough Solicitor; Ms. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Police Chief Craig Summers; Mr. David Horvath, Director of Information Technology; Mr. Steve Diehl, Electric Superintendent; Mr. Troy Smith, Water Plant Manager; Maxatawny Township representative Steve Wilson; Kutztown University Epsilon Sigma Alpha representatives Taylor Wysocki and Courtney Rowedder; Kutztown resident and CROWW representative Warren Shaub; Allentown and Auburn Railroad representative Mike Bast; Kutztown Community Partnership representative Allison Fuller; Kutztown Area Transport Services representative Rodney Freeman; and resident Andy Wagaman, were also present.

Mayor Schlegel read aloud the proposed Resolution awarding the Life Saving Award to Kutztown Borough Police Department Patrol Officer Charles J. Lawson.

A motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To adopt the following Resolution:

RESOLUTION NO. 4-2019

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA TO AFFIRM THE RECOMMENDATION OF THE AWARDS REVIEW BOARD TO AWARD THE LIFE SAVING AWARD TO KUTZTOWN BOROUGH POLICE DEPARTMENT PATROL OFFICER CHARLES J. LAWSON.

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WHEREAS, Kutztown Borough Police Department Standard Operating Procedure 2011-04 provides for the recognition of Police Officers who perform their duties in a manner beyond that which is normally expected; and

WHEREAS, the recognition of Police Officers is done by awards; and

WHEREAS, Standard Operating Procedure 2011-4 requires that the Council of the Borough of Kutztown affirm by resolution a recommendation by the Awards Review Board; and

WHEREAS, the Awards Review Board has recommended that Kutztown Borough Police Department Patrol Officer Charles J. Lawson be awarded the LIFE SAVING AWARD for performing an act in the line of duty, through prompt and alert actions, resulting in the saving of a life during an overdose incident on February 2, 2019, within the Borough of Kutztown.

NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown to award the LIFE SAVING AWARD to Kutztown Borough Police Department Patrol Officer Charles J. Lawson.

This Resolution shall become effective on February 19, 2019.

DULY ADOPTED AS A RESOLUTION this 19th day of February, 2019, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

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

Warren Shaub advised Council that he was using three recording devices for the meeting. After questioning the amount of information recorded in the minutes, at Borough meetings, he offered to put a proposal together, for Council, to record and post Borough meetings on YouTube. Mr. Mooney reminded him that Borough meetings are recorded and played back on television, but Mr. Shaub did not think that television reached a broad enough audience. Mr. Mooney then suggested a link on the Borough's Web site versus YouTube. Ms. Elliott asked Mr. Shaub to put a proposal together for the Telecommunications and Information Technologies Committee.

Next, Mr. Shaub asked if anyone on Council had contacted DEP about the Bieber Tourways property. Mr. Piscitelli responded that he would make a call.

Mike Bast, from the Allentown and Auburn Railroad, provided an update to Council about a visit from the Federal Railroad Administration. He noted that two inspectors found the Allentown and Auburn Railroad to be compliant.

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

-) Review and accept the Minutes of the January 15, 2019 Borough Council meeting.
-) Review and accept the Borough Community Development Report for January, 2019.
-) Take action on the request from the Kutztown Area School District to use all athletic fields for their 2019 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.
-) Take action to approve the Kutztown Community Partnership's parade permit application, for the Block Party on May 5, 2019, 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 27, 2019, 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 12, 2019, through February 15, 2019, as summarized below:

General Fund	\$457,349.96
Refuse and Recycling Fund	\$56,324.73
Fire Protection Tax Fund	\$9.50
Recreation Tax Fund	\$38.00
Road Tax Fund	\$38.00
Water Fund	\$120,917.98
Electric Fund	\$359,830.47
Sewer Fund	\$131,554.49
Telecommunications Fund	\$63,665.08

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Passed by unanimous vote.

Under Borough Planning Commission, there was nothing to report.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, the Monthly Police Report for January, 2019 was submitted.

The following fines were collected:

District Justice Greth	December, 2018	\$4,589.27
Clerk of Common Pleas	December, 2018	\$14.17
Secretary's Office	January, 2019	\$1,650.00

Kutztown University Epsilon Sigma Alpha representatives Taylor Wysocki and Courtney Rowedder asked Council to consider donating to the Dudes in Tutus Relay Race to Benefit Domestic Violence event, from which donations go to Safe Berks.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To authorize a donation, from the Borough, in the amount of \$100.00.

Mr. Piscitelli stated that he would prefer to see the Borough match what was already raised.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To amend the motion still on the floor in regard to matching the funds already raised, which is \$237.25. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the Healthy Kids Running Series, in the park, on April 7, 14 and 28, and May 5 and 12, 2019. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To

waive the Band Shell rental fee for the Skate Park Grand Opening on May 18, 2019.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To enter into an agreement with the PA Department of Agriculture to treat North Park for lantern flies. Passed by unanimous vote.

Mr. Piscitelli asked if the Environmental Advisory Commission was aware of this, and President Snyder stated that they are aware because their vice-chairperson, Todd Underwood, initiated it.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the 2019 Summer Concert Series and to authorize John Schmoyer to execute the contracts and anything else that might be needed to move forward with the concerts. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To hire Lisa Reilly, as pool manager, at a salary of \$13,000.00 for the 2019 pool season; and to authorize hiring a head lifeguard and assistant head lifeguard, at \$10.60 per hour, each, for the 2019 pool season. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To authorize John Schmoyer to hire pool staff for the 2019 pool season. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Elliott, seconded by Mr. Mace, Resolved, To accept the resignation of Community Service Officer II, Elizabeth McKenna, effective January 1, 2019. Passed by unanimous vote.

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An Executive Session to discuss personnel and legal matters was not needed.

Under Finance and Electric Committee, a motion was made by Mr. Mace, Seconded by Mr. Piscitelli, Resolved, To enter in to an agreement, with Eaton, to purchase and implement a new Advanced Metering Infrastructure (AMI) system.

Discussion ensued after Mr. Mooney raised a question about entering into a contract that we do not yet have in hand.

Mr. Mace withdrew his motion and Mr. Piscitelli withdrew his seconding of the motion, and it was the consensus of Council.

A motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To authorize the Borough Manager to pursue the proposed agreement, with Eaton, to implement the new AMI system. 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 Ms. Elliott, Resolved, To authorize HRG to complete the Borough's Annual Water Protection Report. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To authorize HRG to begin the application process, with the USDA, for water and sewer capital improvements projects to be funded by a loan and/or grant. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the Borough's annual donation 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 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

Mr. Mace noted that the Appeals Boards only meet as needed.

Ms. Wiand noted that the Kutztown Community Partnership Annual Meeting would be postponed due to forecasted weather.

Off of the agenda, a motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To execute the Memorandum of First Amendment to Communications Site Lease Agreement with Sprint Spectrum Realty Company, LLC. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:19 p.m.

Prepared and Attested by: Gina M. Wiand
Borough Secretary

Kevin Snyder and Andrea Rahn hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from January 12, 2019, through February 15, 2019, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand