

February 20, 2018
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. Richard Diehm, Mr. Scott Piscitelli, and the Mayor, Mr. James Schlegel. Ms. Arabel Elliott 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, Kutztown Borough Police Chief; Mr. Mark Arnold, Telecommunications Director; Mr. Troy Smith, Water Plant Manager; Mr. Steven Diehl, Electric Superintendent; Kutztown University Student Ambassador to Council, Cole Mitchell; Student Ambassador to the Mayor, Taya Jackson; Kutztown Community Partnership representative Allison Fuller; KU Foundation representative Ed Richmond; residents Patt and Kevin McCloskey; and Mr. Ron Devlin, reporter for the Reading Eagle, were also present.

Mayor Schlegel administered the oath of office to Officer Robert C. Hrickzo, Jr.

Mayor Schlegel administered the oath of office to Elected Official Derek Mace.

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

Borough employees Mark Arnold, Steve Diehl and Troy Smith were presented with a plaque, for the Borough's Safety Committee, on behalf of Susquehanna Municipal Trust, for zero loss time days in 2017.

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

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

-) Review and accept the Minutes of the January 16, 2018 Borough Council meeting.
-) Review and accept the Borough Community Development Report for January, 2018.
-) Take action on the request from the Optimist Club to use the tennis court, hockey rink, Brick Pavilion, bathrooms and park area, as well as the use of six barricades, on March 31, 2018, for their Annual Easter Egg Hunt, and to waive any associated fees.
-) Take action to approve the Kutztown Community Partnership's parade permit application, for the Block Party on April 29, 2018, 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 28, 2018, 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 6, 2018, through February 16, 2018, as summarized below:

General Fund	\$447,798.80
Refuse and Recycling Fund	\$80,827.19
Fire Protection Tax Fund	\$18.01
Recreation Tax Fund	\$72.04
Road Tax Fund	\$72.04
Water Fund	\$285,660.06
Electric Fund	\$466,303.12
Sewer Fund	\$253,955.48
Telecommunications Fund	\$165,582.13
Kutztown Municipal Authority	\$7,421.77

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, 2018 was submitted.

The following fines were collected:

District Justice Greth	December, 2017	\$7,113.08
Clerk of Common Pleas	December, 2017	\$851.89
Secretary's Office	January, 2018	\$1,800.00

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from the Silverbacks Rugby Club to use the Park Multipurpose Field for their 2018 spring season. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from the Kutztown Community Library to use the band shell, on August 9, 2018, and to waive the rental fee. Passed by unanimous vote.

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

RESOLUTION NO. 2-2018

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE KUTZTOWN BOROUGH COUNCIL PRESIDENT TO SIGN THE PERMANENT EASEMENT AGREEMENT, WITH PENNDOT, FOR THE SACONY CREEK BRIDGE REHAB PROJECT.

BE IT RESOLVED, by authority of the Council of the Borough of Kutztown, Pennsylvania, that the Borough Council President be authorized and directed to sign the permanent Easement Agreement, with PennDOT, for the Sacony Creek Bridge Rehab Project, on Council's behalf.

THIS RESOLUTION DULY ADOPTED this 20th day of February, 2018, by the Borough Council of Kutztown, Berks County, Pennsylvania.

Passed by unanimous vote.

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A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To approve final Payment #2, to Schlouch, Inc., for the 2017 Street Improvements Project, in the amount of \$23,789.28. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To authorize S.W. Bauman to repair the band shell floor at a cost not to exceed \$20,000.00. Passed by unanimous vote.

Mr. Piscitelli noted that the Borough will solicit contributions for this project.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To award the 2018 lawn and vegetation control contract, to TruGreen, in the amount of \$3,329.17. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To award the lease for the pool concession stand, to the Kutztown Community Partnership, for the 2018 season. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the North Park sign design and to purchase two signs. Passed by unanimous vote.

A motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To approve the 2018 Kutztown Park summer playground recreation agreement with the Tri-Valley YMCA. Passed by unanimous vote.

It was the consensus of Council to table the agenda item regarding the 2018 Street Improvements Project proposal and to refer the proposal to the Public Works Committee for review in March. Mr. Seyler invited all of Council and the public to attend.

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

approve extending the Main Street parking space lines, from Constitution Boulevard to Willow Street, and Baldy Street to College Boulevard. 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 \$12,000.00, and Patrick Eigenbrod, as Assistant Pool Manager, at a salary of \$6,500.00, for the 2018 season. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To accord full time employment to Jared Babel, Public Works Laborer I. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To promote Jacqueline Sharayko to Assistant Librarian. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To accept, with regret, the resignation of Dorothy Fox, from the Code Appeals Board, effective immediately. Passed by unanimous vote.

Mayor Schlegel commented that the Borough should recognize Dorothy and Bill Fox for their many years of service to the Borough.

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To reappoint Steve Fritz as a member of the Telecommunications Advisory Commission, whose term shall expire March 1, 2020. Passed by unanimous vote.

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 Mr. Mace, seconded by Mr. Seyler, Resolved, To adopt the following Resolution:

RESOLUTION NO. 3-2018

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO. 1-2017 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	\$23.00	\$46.00	\$69.00
Water Division Hourly Personnel	\$23.00	\$46.00	\$69.00
Wastewater Division Hourly Personnel	\$23.00	\$45.75	\$68.75
Telecom Division Hourly Personnel	\$23.00	\$45.75	\$68.75
Public Works Division Hourly Personnel	\$21.75	\$43.50	\$65.25
Clerical Hourly Personnel	\$19.00	\$38.00	\$57.00
Administrative Personnel	\$29.50	\$58.75	N/A
Public Safety Division Police	\$47.25	\$94.50	N/A
Community Service Officers	\$12.50	\$25.00	\$37.50

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 cost of salt

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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 20, 2018, 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 20, 2018.

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 Mr. Piscitelli, Resolved, To adopt the following Resolution:

RESOLUTION NO. 4-2018

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, REQUESTING A PA SMALL WATER AND SEWER PROGRAM GRANT OF \$290,317.00, FROM THE COMMONWEALTH FINANCING AUTHORITY TO BE USED FOR THE WATER TREATMENT PLANT FILTRATION MEDIA REPLACEMENT PROJECT.

BE IT RESOLVED, that the Borough of Kutztown, Berks County hereby requests a PA Small Water and Sewer Program grant of \$290,317.00, from the Commonwealth Financing Authority to be used for the Water Treatment Plant Filtration Media Replacement Project;

BE IT FURTHER RESOLVED, that the Borough of Kutztown does hereby designate Council President Kevin Snyder and Borough Manager Gabriel Khalife as the officials to execute all documents and agreements between the Borough of Kutztown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Gina M. Wiand, duly qualified Secretary of the Council of the Borough of Kutztown, Berks County, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough Council at a regular meeting held February 20, 2018, and said Resolution has been recorded in the Minutes of the Borough Council and remains in effect as of this date.

DULY ADOPTED AS A RESOLUTION this 20th day of February, 2018, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To award the bid for the Water Meter Modification Project to PSI Pumping Solutions, Inc., in the amount of \$8,900.00. Passed by unanimous vote.

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

the permit application to PA DEP for the Sequestering Agent Addition and to approve the \$750.00 application fee. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Diehm, Resolved, To approve the 2018 donation of \$15,000.00 to Berks Nature. Passed by unanimous vote.

Mr. Seyler noted that Raw pump #3 will be rebuilt and the ESD valve actuator will be replaced at the Sewer Plant under the maintenance budget.

Under Miscellaneous, President Snyder noted that the Borough Code is in the process of being updated, with Supplement No. 22, and the cost range is between \$2,610.00 and \$2,995.00.

President Snyder also noted the following vacancies:

Code Appeals Board:	One Member Vacancy
	One Alternate Vacancy
Planning Commission:	Two Member Vacancies
Zoning Hearing Board:	Two Alternate Vacancies
Kutztown Municipal Authority:	One Member Vacancy
Housing License Appeals Board:	Two Member Vacancies
	Three Alternate Vacancies

President Snyder called for an Executive Session at 7:58 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 8:14 p.m.

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To allow Dan Batz to carry over vacation time, for 60 days, upon his return from medical leave. Passed by unanimous vote.

Mr. Khalife introduced Taya Jackson as the new Student Ambassador to the Mayor.

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

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adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:15 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 6, 2018, through February 16, 2018, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand