

A regular meeting of the Kutztown Borough Council was called to order at 7:40 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, Ms. Arabel Elliott, 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; Mr. Mark Arnold, Telecommunications Director; Mr. Matt Hafer, Acting Community Development Director; Kutztown University Student Ambassador to Council, Cole Mitchell; Student Ambassador to the Mayor, Taya Jackson; Northeastern Berks Emergency Medical Services representatives Doug Demchyk, Jolene Schlegel, Deborah Fox-Gibbs; Amy Evans, and three others whose names were not legible on the attendance sheet; Kutztown Area Transport Service representatives Matt Riegel, Jeremy Harbonic, Linda Henry, Kari Morgan, Rodney Freeman, and Philip Salamone; North Star Design representative Bill Viola; Kutztown Community Partnership representative Allison Fuller; Wells Fargo representative Michael Lann; Fox Rothschild representative Carrie Nase-Poust; Kutztown Fire Company representatives Lesley Agostinelli, Eric Diehl, Don Battista, and Todd Evans; residents Cindy Meitzler, William and Dorothy Fox, Kris and Mari Kemp, Sheila Fulton, George Kusterer, Kevin and Patricia McCloskey, Terry and Beth Reichart, Jennifer Engle, Laura Crouse, Linda Grim and Andy Arnold; and Mr. Steve DeLucas, reporter for the Reading Eagle, were also present.

Mayor Schlegel presented Bill and Dolly Fox with a clock plaque for their

many years of service to the Borough.

Michael Lann, representing Wells Fargo Bank; attorney Carrie Nase-Poust, from Fox Rothschild; and North Star Design representative, Bill Viola, answered questions from Council about the ADA ramp request from Wells Fargo Bank.

Mr. Piscitelli asked how much encroachment would be in the Borough's right-of-way, and Mr. Viola replied that the worst case scenario would be two to three feet.

Mr. Mace asked if there is a step, and Mr. Viola said that there is a step, to the right, exiting the building.

Mr. Mooney asked what would be the vehicle to get an agreement in place, and Ms. Nase-Poust responded that they would propose an easement agreement. Mr. Mooney stated that the agreement would need to include "hold harmless and indemnification" language, and Ms. Nase-Poust agreed.

Mr. Mace asked about the radius at the apron, and Mr. Viola replied that it would be within the 32 inch minimum to allow for wheelchair passage.

A motion was made by Mr. Piscitelli, seconded by Mr. Mace, Resolved, To approve the request, from Wells Fargo Bank, to install an ADA ramp, that extends into the Borough's right-of-way, pending review of the easement agreement and contingent upon nothing unforeseen found underneath the work area. Passed by unanimous vote.

Mr. Mooney noted that there is still a setback issue that will need to be addressed by the Borough's Zoning Hearing Board.

Doug Demchyk, from Northeastern Berks Emergency Medical Services, made a presentation to Council regarding the merits of their service to the Kutztown Community.

After the presentation, Mr. Demchyk requested that Council look at changing

the Borough's current Resolution by altering the run cards and naming the closest EMS station as the primary service to the Borough.

Mr. Piscitelli asked if their volunteers would go under the Borough's workers compensation plan, and Mr. Mooney said he would have to look into that.

Philip Salamone, from Kutztown Area Transport Service, made a presentation to Council regarding the merits of their service to the Kutztown Community.

After the presentation, a motion was made by Mr. Piscitelli seconded by Mr. Mace, Resolved, To explore the possibility of altering the run cards. All opposed, except President Snyder, who voted aye. The motion was defeated and therefore did not pass.

Mr. Demchyk said that he thinks the one service area could be divided into multiple services areas.

George Kusterer commented that he thinks it would be most beneficial for the residents to let them choose their service. Keith Mooney noted that if a person is able, they can call the service they prefer.

Cindy Meitzler stated that she wants whichever service can get to her faster, and she feels that is the ethical thing to do.

Mr. Mooney suggest that Council and the two EMS companies meet with Brian Gotschall, from the County, regarding altering the run cards.

Mr. Khalife suggested that Council can have an informative workshop that would not include the public.

A motion was made by Mr. Diehm, seconded by Mr. Mace, Resolved, To have an informative workshop that would not include the public. Passed by unanimous vote.

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

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proceeding with the agenda. There were no public comments.

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

-) Review and accept the Minutes of the March 20, 2018 Borough Council meeting.
-) Review and accept the Borough Community Development Report for March, 2018.
-) Take action to donate two family pool passes for the 2018 Friend, Inc., Community Services Benefit Auction.
-) Take action to approve the request from the Cub Scouts to hold their Cub Mobile Races on May 19, 2018, and to waive any associated fees.
-) Take action to approve the request from the Relay for Life to hang sponsor signs and bows around town beginning on May 14, 2018.
-) 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 March 17, 2018, through April 13, 2018, as summarized below:

General Fund	\$207,483.74
Refuse and Recycling Fund	\$34,235.31
Fire Protection Tax Fund	\$46.58
Recreation Tax Fund	\$74.42
Road Tax Fund	\$186.32
Water Fund	\$65,020.74
Electric Fund	\$333,670.87
Sewer Fund	\$73,017.20
Telecommunications Fund	\$79,394.05

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 March, 2018 was submitted.

The following fines were collected:

District Justice Greth	February, 2018	\$9,050.63
Clerk of Common Pleas	February, 2018	\$1,051.23
Secretary's Office	March, 2018	\$4,350.00

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To authorize drafting an Ordinance amending Chapter 212 (Vehicles and Traffic) and Chapter A231 (Fees), of the Kutztown Code, to accommodate iMETER and iCHALK solutions. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To authorize drafting an Ordinance amending Chapter 212 (Vehicles and Traffic), of the Kutztown Code, to adjust the no parking zones on E. Main Street, at S. Laurel and S. Maple Streets, to increase sightlines and safety.

Mr. Seyler asked to delay this Ordinance until research is done on the North side as well.

After further discussion on this matter, Mr. Piscitelli rescinded his motion and Mr. Diehm rescinded his seconding of the motion, and it was the consensus of Council.

Dr. Wolfe's daughter expressed her concerns about the parking and traffic in this area.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request, from Patti Picone, to use the Scooter Building on May 19, 2018, from 12:00 noon until 6:00 p.m. for a birthday party. Note: The original request was an end time of 7:00 p.m., but there is a concert that night, so it has to end by 6:00 p.m. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request, from Sandy Fries, to use the Scooter Building on July 14, 2018,

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from 12:00 noon until 5:00 p.m. for a birthday party. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from GT Church to use the Scooter Building and the Band Shell on July 22, 2018, for church service and a luncheon. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the following senior citizen pool rates: Borough Resident Senior, free; Inside the Kutztown Area School District Senior, \$65.00; and Outside the Kutztown Area School District Seniors, \$125.00. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To provide free season pool passes, for the 2018 season, to the following people/organizations: family passes for all full-time and part-time Borough employees; 15 family pass vouchers to the Kutztown Fire Company for the Chief to distribute to active members at his discretion; two family passes to the Kutztown Community Partnership for the pool concession stand managers; and adult passes to the St. John's and Shaynah Kinner daycare employees, which are only to be used when the employees are working. Note: The deadline for the daycares to hand in their pool pass applications and payments is May 14, 2018. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve opening the pool at 2:00 p.m., on July 14, 2018, due to a swim meet. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To end the probation period, for Walter Skavinsky, and affirm his promotion to Corporal. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Mr. Seyler, Resolved, To accord full employment, to Tyler Diehl, upon passing his probation period. 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, Mr. Mace noted that the Committee discussed some future improvements to the electrical system.

Under Telecommunications and Information Technologies Committee, off of the agenda, a motion was made by Ms. Elliott, seconded by Mr. Seyler, Resolved, To execute the Cable Franchise Agreement with CSI Digital, Inc. Passed by unanimous vote.

Off of the agenda, a motion was made by Ms. Elliott, seconded by Mr. Diehm, Resolved, To execute the Indefeasible Right of Use Agreement with CSI Digital, Inc. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the request for a temporary water service credit, for 37 North Whiteoak Street, in the amount of \$94.14. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the request for a sewer credit, for 233 Broad Street, in the amount of \$77.38. All in favor, except Mr. Diehm, who abstained from the vote.

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

RESOLUTION NO. 5-2018

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, APPROVING THE SALE OF A BROKEN FIRE HYDRANT, TO TODD EVANS, FOR \$10.00.

IT IS HEREBY RESOLVED by the Council of the Borough of Kutztown, Berks County, Pennsylvania (hereinafter “the Borough”), in accordance with Section 1201 (4) of the Borough Code, as follows:

RESOLVED, that the Borough shall sell a broken fire hydrant, having a total estimated sale value of Ten Dollars (\$10.00), to Todd Evans.

APPROVED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania in lawful, regular meeting duly assembled this 17th day of April, 2018.

Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To introduce and authorize advertisement of the proposed Ordinance amending Chapter 177 of the Code of the Borough of Kutztown, entitled “Sewer”, by amending Section 177-6 by providing for the regulation of Surface Water, Stormwater and Ground Water Discharges. Passed by unanimous vote.

Under Miscellaneous, President Snyder also noted the following vacancies:

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

President Snyder called for an Executive Session at 9:07 p.m. to discuss

personnel and legal matters. The Executive Session ended and the meeting reconvened at 9:18 p.m.

Allison Fuller asked for approval to have two port-o-potties placed for the Block Party on April 29.

Mr. Piscitelli stated that they needed to be picked up as soon as possible after the event, and it was the consensus of Council.

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 9:19 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 March 17, 2018, through April 13, 2018, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand