

May 21, 2024  
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:33 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. Lisa Ladd-Kidder, Mr. George Kusterer, and the Mayor, Mr. James Schlegel. Mr. Frederick Engelhardt was absent, and Ms. Ladd-Kidder left the meeting at 7:42 p.m. 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; Planning Commission representative Bob Weller; residents Todd Greiss and Todd Greiss (two different addresses); and resident/Borough employee Eric Boyer were also present.

Mr. Kusterer opened the meeting with a prayer.

President Snyder noted the following vacancies:

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

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

information on what is being done to address increased PCE levels in Monitoring Well #6a of the Kutztown Quarry. Passed by unanimous vote.

A motion was made by Ms. Ladd-Kidder, seconded by Mr. Seyler, Resolved, To send DEP a letter to acknowledge its response to the Borough's comment letter of July 19, 2023, regarding East Penn's Wire & Cable Facility. Passed by unanimous vote.

A motion was made by Ms. Ladd-Kidder, seconded by Mr. Mace, Resolved, To send DEP a letter of opposition to its April 25, 2024, decision to temporarily increase the permitted level of pumping by the Kutztown Quarry. Passed by unanimous vote.

Under Community Development and Public Safety Committee, the Monthly Police Report for April 2024 was submitted.

The following fines were collected:

District Justice Greth	April 2024	\$3,901.07
Clerk of Common Pleas	April 2024	\$0.00
Secretary's Office	April 2024	\$1,147.50

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To approve the request from LB Construction to waive Drone insurance coverage as part of the Multi Modal Grant Project. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To waive the Multi Modal Grant Project Professional Liability Insurance – professional liability insurance is applicable when the contractor makes engineered submittals or provides consultation or could apply to trenches over 4' deep with use of trench boxes. HRG, the Borough's engineer, stated that we do not have any of these situations on the project, but they bid anticipating to need it. Passed by unanimous vote.

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

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A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve purchasing up to an additional four loads of infield mix for the KYAA to rebuild the senior field. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve spending up to \$3,000.00, which is a cost sharing measure with the KASD, for roofing materials for the KYAA to rebuild the softball field dugout roofs Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Kusterer, seconded by Mr. Mace, Resolved, To approve utilizing Lantek as a back-up for the Borough's Telecom Department Internet system, customer service, and management operations; and for the Telecom Department to orient Lantek staff to the Borough's Internet system and operations. NOTE: Lantek currently acts as the Borough's IT back-up for system operations, and Borough Council desires to expand that relationship. Passed by unanimous vote.

A motion was made by Mr. Kusterer, seconded by Mr. Seyler, Resolved, To renew the professional service agreement with Sheila Sacks. Passed by unanimous vote.

A motion was made by Mr. Kusterer, seconded by Mr. Seyler, Resolved, To hire Andrew Martin and Zach Wink as Environmental Advisory Commission interns for the summer. Passed by unanimous vote.

A motion was made by Mr. Kusterer, seconded by Mr. Seyler, Resolved, To conditionally hire the following 2024 seasonal pool employees, contingent upon meeting all pre-employment requirements: Gabriel Clauss, head lifeguard, \$16.64 per hour; Archer Scaffidi, assistant head lifeguard, \$15.60 per hour; Thomas Crouse, assistant head

Exemption. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To enact and ordain the following Ordinance:

## ORDINANCE NO. 1- 2024

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 217 OF THE CODE OF THE BOROUGH OF KUTZTOWN, ENTITLED "WATER", BY AMENDING SECTION 217-2 BY PROVIDING DEFINITIONS FOR THE TERMS "METER PIT" AND METER VAULT" AND SECTION 217-5 TO PROVIDE THAT ALL NEW WATER SERVICE CONNECTIONS MADE AFTER JUNE 1, 2024 SHALL REQUIRE THE INSTALLATION OF A METER PIT OR A METER VAULT.

Passed by unanimous vote.

Under Miscellaneous, President Snyder called for an Executive Session to discuss personnel and legal matters at 7:59 p.m.

The Executive Session ended, and the meeting reconvened at 8:28 p.m. No action was taken.

Mr. Mace noted that he had a water issue at his home, and that Troy Smith and Jill Remick were wonderful to work with during the problem.

A motion was made by Mr. Mace, seconded by Mr. Kusterer, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:28 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 April 13, 2024, through May 17, 2024, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

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Kevin J. Snyder

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Gina M. Wiand