

June 15, 2021
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. Arabel Elliott, Ms. Amanda Raudenbush, and the Mayor, Mr. James Schlegel. Councilman Zebulon Hull was absent. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Andrea Rahn, Assistant Borough Secretary; Mr. Steve Diehl, Electric Superintendent; Police Chief Craig Summers; Patrol Officer Matthew Yerger; Kutztown Community Partnership/Kutztown University Community Liaison Sandy Green; Planning Commission representative Fred Englehardt; AMP representative Paul Beckhusen; visitor Rachel Yerger; and resident Warren Shaub were also present.

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

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

RESOLUTION NO. 11-2021

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 MATTHEW J. YERGER.

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

12280

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 Matthew J. Yerger be awarded the LIFE SAVING AWARD for performing an act in the line of duty. On May 9, 2021, through prompt and alert actions, during an overdose event in which Officer Yerger performed CPR and administered Narcan to an individual who had no pulse and was not breathing. As a direct result of Officer Yerger's actions he saved the life of this individual.

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 Matthew J. Yerger.

This Resolution shall become effective on June 15, 2021.

DULY ADOPTED AS A RESOLUTION this 15th day of June, 2021, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

Paul Beckhusen gave a presentation regarding the implementation of an AMP Peaking Project. He explained that participation would save the Borough on transmission and capacity costs, and the life expectancy of the project is 25-30 years. He also noted that a sales contract would need to be adopted and approved to move forward, and site locations would need to be evaluated.

President Snyder noted the following vacancies:

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

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

proceeding with the agenda.

Warren Shaub told Council that he would like them to consider continuing holding meetings via Zoom because there was a lot of participation that way.

Regarding the AMP presentation, Mr. Shaub wondered why there is a lack of interest in peak hours. Mr. Seyler responded that the Borough does not use peak rates.

Mr. Shaub also commented that there are a lot things going on in town to worry about besides events.

Because of Council member present and future resignations, Mr. Shaub expressed his concern about the lack of representation in Ward 2. Mr. Mooney stated that Council can request community interest in filling the position(s).

Mr. Shaub then mentioned that the Telecommunications and Information Technologies Committee will only have one member, and Mr. Mooney said that other Council members can be appointed to the vacant Committee positions.

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

- Review and accept the Minutes of the May 20, 2021 Borough Council meeting.
- Review and accept the Borough Community Development Report for May, 2021.
- Take action to approve the Friend, Inc. Brake the Cycle for Poverty bike ride through the Borough of Kutztown.
- 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 May 15, 2021, through June 11, 2021, as summarized below:

General Fund	\$152,498.01
Refuse and Recycling Fund	\$26,062.61
Water Fund	\$45,278.34
Electric Fund	\$218,469.67

Sewer Fund	\$33,584.52
Telecommunications Fund	\$4,609.26

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 May, 2021 was submitted.

Ms. Raudenbush noted that the following fines were collected:

District Justice Greth	April, 2021	\$2,853.95
Clerk of Common Pleas	April, 2021	\$791.36
Secretary's Office	May, 2021	\$2,622.5
Parking Kiosk	May, 2021	\$351.05

A motion was made by Ms. Raudenbush, seconded by Mr. Mace, Resolved, To approve the Kutztown Folk Festival 2022 Kick-Off Event Celebration (not waiving fees).

Passed by unanimous vote.

A motion was made by Ms. Raudenbush, seconded by Mr. Mace, Resolved, To approve the proposed Rapid Response to an Active Shooter Standard Operating Procedure. Passed by unanimous vote.

A motion was made by Ms. Raudenbush, seconded by Mr. Mace, Resolved, To approve the proposed Response to Kutztown Schools Standard Operating Procedure. Passed by unanimous vote.

Ms. Elliott expressed her appreciation to Chief Summers for updating these Standard Operating Procedures.

Mr. Mace noted that the Committee members wish to thank Amanda Raudenbush for her great leadership and dedication to the Community Development and Public Safety

Committee. She responded that she enjoyed her time on the Committee and that she will miss it.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve Change Order No. 1, from Construction Masters Services, Inc., for the 2021 Paving and Storm Sewer Improvements Project, in the amount of \$10,840.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from Kristen Emmick, to use the Scooter Building on July 25, 2021. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from Nate Herrlin, to use the Kutztown Pool for a baptism service on a Sunday morning that he coordinates with the pool manager. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from Desiree Reasoner, to use the Scooter Building on June 26, 2021, as long as the event is done by 6:00 p.m., it is cleaned up and vacated by 6:30 p.m., and that there are no cars parked around the Scooter building after the event. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To mutually dissolve the Kutztown Park Main Concession Stand Lease Agreement with Mad Dogs. Passed by unanimous vote.

12284

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the Kutztown Park Main Concession Stand Lease Agreement with Saucony Creek Grill & Catering. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To accept a donation of two box hockey games, from the Lions Club, for the Kutztown Park. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve \$60.00 refunds to Destiny Davis and Ashley Young for the accidental pavilion double booking that occurred. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the 2021 line-painting quote (items 1, 2, 4, 6, 10, 14, and 15), from Berks Traffic, Inc., in the amount of \$10,145.62.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the request, from the Kutztown Area School District's United Way Committee, to have a rubber duck race in the Saucony Creek, on August 28, 2021, from 2:00 p.m. until 3:00 p.m. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the Relay for Life Committee to hang sponsor signs throughout town. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Elliott, seconded by Mr. Seyler, Resolved, To accept, with huge regret, Amanda Raudenbush's resignation from Borough Council, effective July 1, 2021. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To ratify the lateral transfer of job duties for Charles Lawson, to Criminal Investigator, at an hourly rate of \$44.96, effective May 3, 2021. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To reappoint Andrew Arnold, as a member of the Housing License Appeals Board, whose term shall expire on July 1, 2022. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Mr. Mace, Resolved, To appoint Jeffrey Dietrich, as a member of the Borough Planning Commission, whose term shall expire on January 1, 2025. Passed by unanimous vote.

Under Finance and Electric Committee, Mr. Mace noted a potential site for a substation along rail property, which would be supported by Government funding.

Mr. Diehl stated that at least two transformers would be needed in case of power failure.

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 draft and send a letter to our PA State Senator, Representative and legislators, as well as to the PA State Association of Boroughs, indicating the Borough's opposition to the proposed Senate Bill 597. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve Payment Application No. 1, from DESCCO Design & Construction, Inc., for the 2020

12286

Collection System Rehabilitation Briar Cliff and College Garden Drive Pump Stations Project, in the amount of \$41,814.01. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve the revised, scaled down Multimodal Transportation Project per the Borough's recent grant award. Passed by unanimous vote.

President Snyder called for an Executive Session at 9:19 p.m. to discuss a personnel matter. The Executive Session ended, and the meeting reconvened at 9:38 p.m. No action was taken.

A motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 9:39 p.m.

Prepared by: Gina M. Wiand
Borough Secretary

Andrea Rahn
Assistant Borough Secretary

Attested by: Andrea Rahn
Assistant 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 May 15, 2021, through June 11, 2021, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Andrea Rahn