

# 12020

June 18, 2019  
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:30 p.m. in the Kutztown Train Station by the President, Mr. Kevin Snyder, with other members of Borough Council present: Ms. Arabel Elliott, Mr. Edwin Seyler, Mr. Richard Diehm, Mr. Scott Piscitelli, and the Mayor, Mr. James Schlegel. Mr. Derek Mace, was absent. Mr. Keith Mooney, Borough Solicitor; Mr. Gabriel Khalife, Borough Manager/Treasurer; Ms. Andrea Rahn, Assistant Borough Secretary; Kutztown Area Transport Services representative Rodney Freeman; Kutztown Fire Company representative Brittany Harris; Allentown and Auburn Railroad representative Mike Bast; Kutztown Community Partnership/Kutztown University Community Liaison Sandy Green; Kutztown Community Partnership representative Benjamin Haas; Kutztown Community Partnership and Planning Commission representative Joel Seidel; Planning Commission representatives Lisa Ladd-Kidder and Fred Engelhardt; residents Andrea Lorah, Jeff Dietrich; and Ron Devlin, reporter for Reading Eagle, were also present.

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

Phila Back distributed and reviewed the correspondence she received from Kevin Stewart, Director of Environmental Health Advocacy and Public Policy with the American Lung Association, regarding the report of monitoring particulate matter from the Allentown and Auburn Railroad's Engine 206. Mike Bast responded that the Allentown and Auburn Railroad's train tours are standard length.

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

approve the Consent Agenda, consisting of the following items:

- ) Review and accept the Minutes of the May 22, 2019 Borough Council meeting.
- ) Review and accept the Borough Community Development Report for May, 2019.
- ) 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 18, 2019, through June 7, 2019. 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, 2019 was submitted.

The following fines were collected:

District Justice Greth	April, 2019	\$9,577.26
Clerk of Common Pleas	April, 2019	\$1,124.85
Secretary's Office	May, 2019	\$3,975.00

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

## ORDINANCE NO. 1-2019

AN ORDINANCE OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 177 OF THE CODE OF THE BOROUGH OF KUTZTOWN, ENTITLED "SEWER", BY REPEALING AND REENACTING SECTION 177-7 (D) BY DELINEATING MAINTENANCE RESPONSIBILITY FOR PRIVATELY OWNED SEWER UTILITIES AND FACILITIES AND BY AMENDING CHAPTER 168 OF THE CODE OF THE BOROUGH OF KUTZTOWN, ENTITLED "PUBLIC HEALTH; NUISANCES", BY REPEALING AND REENACTING SECTION 168-7 TO PROVIDE FOR THE REGULATION OF NEWSPAPER AND ADVERTISING MATERIAL DISTRIBUTION.

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Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To hire an interim Zoning Officer through Barry Isett & Associates.

Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To approve hiring Hailstone Economic, LLC, as the consultant for the Rental Housing Strategy Plan. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Snyder, seconded by Mr. Seyler, Resolved, To approve the request from the Kutztown Fire Company Social Quarters to close down parts of Bieber Alley and Keystone Avenue, around the Fire Company building, for a Social Quarters fundraiser on July 20, 2019, from 12 noon until 6:00 p.m., and to waive associated fees. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To approve the request from the Kutztown Community Choir to use the Brick Pavilion on June 17, 2019, for their annual picnic, and to have the rental fee waived. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the request from the Kutztown Community Partnership to have Dinner on Main and to approve the parade permit application for August 2, 2019, with a rain date of August 3, 2019, and to waive any associated fees. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from the Healthy Kids Running Series to use the open space in the park from 2:30 p.m. until 5:00 p.m. on September 29, 2019, October 6, 2019, October 13,

2019, October 20, 2019 and October 27, 2019, with November 3, 2019 as a possible rain date if it does not conflict with the football club's schedule. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from Cub Pack 101 to use the North Park Pavilion and Gazebo on September 29, 2019, for a Sheriff's Department canine demonstration and to have the rental fees waived. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the request from the Kutztown Day Committee for the Borough to provide six porta-potties for Kutztown Day. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the request from Donna Meals to use the Scooter Building on August 18, 2019. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To hire Stanley Sweeping to sweep town on a date or dates to be determined. Passed by unanimous vote.

Off of the agenda, a motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the request from the Kutztown Kruizz Committee/Kutztown Strong to have the Kutztown Kruizz, to approve the parade permit application for July 27, 2019, and to waive associated fees. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Diehm, seconded by Ms. Elliott, Resolved, To accept the resignation of Matt Hafer, with regret. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Ms. Elliott, Resolved, To accord

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full-time employment to Officer Robert Hriczko who has successfully completed his probationary period. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Ms. Elliott, Resolved, To rehire Elizabeth McKenna, as a Community Service Officer II, effective June 29, 2019, and to waive the probationary period. Passed by unanimous vote.

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

Under Finance and Electric Committee, there was nothing to report.

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 enact and ordain Ordinance 1-2019. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To hire HRG to complete the Comprehensive Monitoring Plan required by Pennsylvania DEP. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To approve Professional Meter Installers (PMI) to send out three mailings, to Borough residents, which all must include the following wording: "Failure to respond to appointment requests and to grant access to your Borough-owned water meter will result in your water service being shut off at the curb. Chapter 217-9 of the Kutztown Borough Code addresses service discontinuance and Chapter 217-10 addresses that unrestricted access to a Borough-owned meter be granted." NOTE: Prior to PMI's third notice, the Borough will place a door hanger notifying the customer of the impending water shut off

and supply the customer with a shut off date. Mr. Piscitelli requested security checks to alleviate concerns to residences. Andrea Lorah expressed her concerns regarding wireless meters. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To approve hiring Zoe Schultz as a part-time summer intern in the Wastewater Treatment Plant lab at the rate of \$8.00 per hour. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To approve the request of Belt Enterprises (NaturaLawn) to have two water meters installed at 509 College Boulevard. NOTE: One meter will be used to monitor the drinking water, and that monthly reading will be used to calculate the sewer charge. The second meter will track water being used to mix the ingredients for lawn spray. This meter reading will not be used in the sewer charge calculation. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Piscitelli, seconded by Mr. Diehm, Resolved, To authorize Barley Snyder to execute the Trademark Renewal Filing for the Borough of Kutztown Distelfink trademark. Passed by unanimous vote.

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

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 8:05 p.m.

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Prepared and 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 18, 2019, through June 7, 2019, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

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Kevin J. Snyder

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Andrea Rahn