

July 16, 2024  
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: Mr. Derek Mace, Mr. Edwin Seyler, Ms. Lisa Ladd-Kidder, Mr. George Kusterer, Mr. Frederick Engelhardt, 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; Police Chief Mike Clery; Tompkins Insurance representative Sam Harter; Planning Commission representative Pat Snyder; and Kutztown Fire Chief Todd Evans were also present.

Mr. Kusterer opened the meeting with a prayer.

Mayor Schlegel issued a proclamation congratulating the Kutztown Police Department on their 100<sup>th</sup> anniversary.

Sam Harter, from Tompkins Insurance, presented and reviewed with Council members the Borough's 2024-2025 insurance policy renewals and stated the following change: Police Professional Liability went from \$5 million to \$3 million with a new carrier. He noted that all carries quoted \$3 million for this coverage.

Mr. Mooney asked if the Borough could purchase another policy, from a different provider, for added police coverage, and Mr. Harter said that they could and that he would explore the additional costs.

Ms. Ladd-Kidder asked why they use different companies for different coverages.

Mr. Harter explained that Tompkins' agents are brokers, so they use different underwriters for different coverages.

Mr. Mace asked about different deductibles that he thought seemed high. Mr. Khalife noted that the Borough makes value-based decisions in-house for equipment, while Mr. Harter explained that the personnel deductibles are a carryover from the past and can be reduced by request.

A motion was made by Mr. Mace, seconded by Mr. Kusterer, Resolved, To accept and enter into the proposal from Tompkins Insurance for property, liability, casualty, officers' and employees' workers compensation and any other similar insurance coverages. Passed by unanimous vote.

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. Mace, Resolved, To approve the Consent Agenda, consisting of the following items:

- Review and accept the Minutes of the June 18, 2024, Borough Council meeting.
- Review and accept the Borough Community Development Report for June 2024.
- 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 June 15, 2024, through July 12, 2024.

General Fund	\$143,790.12
Refuse and Recycling Fund	\$12,561.75
Water Fund	\$21,710.25
Electric Fund	\$223,715.60
Sewer Fund	\$39,840.39
Telecommunications Fund	\$13,094.44

Passed by unanimous vote.

Under Borough Planning Commission, a motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To reduce Grande Land, L.P.'s Financial Security for the Municipal Improvements Associated with Hilltop Estates Phase 3 to \$774,545.75.

Mr. Mooney explained that Hilltop moved into Phase 3 and had bonded 115% of the project's cost. As improvements are completed, the Borough should release the money related to the improvements.

Ms. Ladd-Kidder asked who reviewed and approved the work, and Mr. Mooney stated that the project engineers at HRG did.

Passed by unanimous vote.

Pat Snyder and Fred Engelhardt confirmed that there will be a Joint Comprehensive Plan meeting on July 25 (more details to come).

Ms. Snyder also noted that they are in discussions about short-term rental properties for which Mr. Mooney provided a sample Ordinance.

Under Environmental Advisory Commission, a motion was made by Ms. Ladd-Kidder, seconded by Mr. Seyler, Resolved, To send DEP a letter to acknowledge EAC's receipt of the copy of the Air Permit renewal for McConway & Torley LLC (Permit No.: 06-05037). Passed by unanimous vote.

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

# 12666

The following fines were collected:

District Justice Greth	June 2024	\$0.00
Clerk of Common Pleas	June 2024	\$0.87
Secretary's Office	June 2024	\$475.00

A motion was made by Mr. Kusterer, seconded by Mr. Engelhardt, Resolved, To send a letter to the owners of 232 Greenwich Street regarding a banner on their property. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve updating the Street Occupancy Permit fees and to authorize advertisement of said fees. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve the request from Jolly Journeys Childcare Center's use of the Band Shell on August 10, 2024, for their graduation, provided the time does not interfere with any other events. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve extending the Conquer Your Court tennis program agreement and to add a 30-day notice clause for either party to terminate or renew the agreement. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve covering the cost of \$1,500.00, for trees, if the Environmental Advisory Commission is not awarded the grant for which they applied. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To table consideration of carrying an insurance policy for the Petting Zoo on Kutztown Day. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Engelhardt, seconded by Mr. Kusterer, Resolved, To afford full-time employment, to Patrol Officer Derek Vanderslice, who successfully completed his probation period on July 12, 2024. 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 budget performance sheet should be at 42% at this time of year, and that the Borough's utilities are producing more revenue than is in the budget. He also noted that the PLGIT and Santander accounts are growing due to good fund management, and that expenses are below the 42% mark for this time of year.

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 approve Payment Application No. 1, to Allgyer Enterprises, LLC, in the amount of \$83,690.25, for the Wentz Street Project. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To advertise a Council Workshop to be held on Tuesday, July 23, 2024, at 6:00 p.m., in the Kutztown Community Library, to discuss the public works buildings and municipal complex. Passed by unanimous vote.

President Snyder called for an Executive Session to discuss personnel and legal matters at 8:31 p.m.

# 12668

The Executive Session ended, and the meeting reconvened at 8:43 p.m. No action was taken.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:45 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 June 15, 2024, through July 12, 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