

August 16, 2022
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:31 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. Andrea Rahn, Assistant Borough Secretary; Police Chief Craig Summers; Kutztown University Community Liaison and Government Relations Assistant Sandy Green; Kutztown Fire Company representative Robert Hauck; Borough Planning Commission representative Joel Seidel; Maxatawny Township representatives Mike Berger, Steve Wilson, and David Sobatka; New Enterprise representative Steph Stewart; Kutztown Area Transport Service and Kutztown Community Partnership representative Allison Fuller; Kutztown Area Transport Service representative Rodney Freeman; Shaynah Kinner Daycare representative Faith Wanner; and resident Michael Shaw were also present.

Cheri Freeh from Hutchinson, Gillahan & Freeh, PC, presented their annual audit report. Ms. Freeh stated that Finance Director Sharon Dalickas, and Borough Manager Gabriel Khalife, should be commended for handling the Borough's funds in a fiscally responsible manner.

President Snyder noted the following vacancies:

Code Appeals Board:

Planning Commission:

Four Member Vacancies

One Alternate Vacancy

One Member Vacancy

Recording Secretary Vacancy

Zoning Hearing Board:	One Member Vacancy Two Alternate Vacancies
Civil Service Commission:	One Vacancy
Housing License Appeals Board:	One Member Vacancy Three Alternate Vacancies
Environmental Advisory Commission	Three 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.

Rodney Freeman, from Kutztown Area Transport Service, submitted a handout to all Council members, and there was no conversation regarding it.

A motion was made by Mr. Kusterer, seconded by Ms. Ladd-Kidder, Resolved, To approve the Consent Agenda, consisting of the following items:

- Review and accept the Minutes of the July 19, 2022, Borough Council meeting.
- Review and accept the Borough Community Development Report for July 2022.
- 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 July 16, 2022, through August 12, 2022, as summarized below:

General Fund	\$203,359.14.
Refuse and Recycling Fund	\$37,587.59
Water Fund	\$612,155.49
Electric Fund	\$278,647.15
Sewer Fund	\$657,823.13
Telecommunications Fund	\$38,483.03

Passed by unanimous vote.

Under Borough Planning Commission, a motion was made by Mr. Mace, seconded by Mr. Kusterer, Resolved, To appoint Laurel Ziegler as a member of the Planning Commission, whose term shall expire on January 1, 2025. Passed by unanimous vote.

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Joel Seidel reported that Jeff Dietrich resigned from the Planning Commission, and they will discuss it at next month's meeting.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, Mr. Kusterer submitted the Monthly Police Report for July 2022.

Mr. Kusterer noted that the following fines were collected:

District Justice Greth	June 2022	\$3,976.22
Clerk of Common Pleas	June 2022	\$70.29
Secretary's Office	July 2022	\$575.00

A motion was made by Mr. Kusterer, seconded by Mr. Mace, Resolved, To approve the request from Kutztown Fire & Rescue to hold their annual Boot Drive, on August 27, 2022, on College Boulevard, away from the intersection of W. Main Street. Passed by unanimous vote.

A motion was made by Mr. Kusterer, seconded by Mr. Mace, Resolved, To approve the request from the Kutztown Folk Festival to hold a Fall Fest and Evening Hoe Down event, on October 15, 2022. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve an 18' wide replacement bridge, for North Park, and to approve spending \$4,500.00 for shop drawings and \$4,800.00 on a hydraulic study. Passed by unanimous vote.

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

RESOLUTION NO. 7-2022

A RESOLUTION OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, APPROVING THE DONATION OF SURPLUS PLAYGROUND

EQUIPMENT, TO HARLAN BURKHOLDER.

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 donate the following surplus playground equipment to Harlan Burkholder: All parts of a wooden jungle gym, including a plastic sliding board, monkey bars, ladder and steps; plus, a plastic tube, merry-go-round, geodesic dome, toddler swings, and a corkscrew sliding board.

APPROVED as a Resolution by the Council of the Borough of Kutztown, Berks County, Pennsylvania in lawful, regular meeting duly assembled this 16th day of August, 2022.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To revert the recycling schedule back to alternating every other Wednesday on the North and South sides of Main Street, beginning January 1, 2023. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve the request from the Kutztown Rotary Club to use the Park on June 10, 2023, for the Taste of Kutztown event. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To approve the request from Shaynah Kinner to use the Band Shell on June 2, 2023, at 12 noon, through June 3, 2023, for their graduation event, and to coordinate with John Schmoyer so there is no conflict with the Concert Series. Passed by unanimous vote.

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

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approve the request from Lisa Sawyer to use the Scooter Building, on August 21, 2022, for a birthday party. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the request from Samantha Mourar to use the Scooter Building, on September 17, 2022, for a birthday party. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To reimburse Marty Rigglesman \$146.02 for a flat tire that she claims was caused by broken recycling glass. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To authorize Brian Bailey to help coordinate railroad crossing repairs, on Kohler Road, with the Kutztown Transportation Authority and Maxatawny Township. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Engelhardt, seconded by Mr. Mace, Resolved, To accept Jarrad Burkert's resignation, with regret, effective September 27, 2022; and to approve paying him \$30.00 per hour to help during the transition period; and to adopt the following Resolution:

RESOLUTION NO. 8-2022

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, RECOGNIZING AND COMMENDING JARRAD BURKERT FOR HIS DEDICATION AND CONTRIBUTIONS TO THE BOROUGH OF KUTZOWN FOR ALMOST 18 YEARS.

WHEREAS Jarrad Burkert joined the Borough of Kutztown staff, in November 2003, in the Wastewater Department; and

WHEREAS Jarrad Burkert became Wastewater Department Crew Leader in February 2006; and

WHEREAS Jarrad Burkert became Wastewater Plant Manager in September 2013; and

WHEREAS Jarrad Burkert received numerous certifications in Wastewater Plant operations and management, as well as other safety protocols, and skillfully served the Borough of Kutztown for almost 18 years.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Kutztown Borough Council, on behalf of all Borough employees, officials and citizens, recognize and commend Jarrad Burkert for his dedication and contributions to the Borough of Kutztown.

DULY ADOPTED AS A RESOLUTION this 16th day of August, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in a lawful session duly assembled.

Passed by unanimous vote.

A motion was made by Mr. Engelhardt, seconded by Mr. Kusterer, Resolved, To offer Jeri Sievert the position of Community Development Office Assistant and to serve the employment probation period as prescribed. Passed by unanimous vote.

An Executive Session to discuss personnel and legal matters was deferred until the end of the meeting.

Discussion regarding appointing a legal firm to represent the Borough's Zoning Hearing Board, Civil Service Commission and Housing License Appeals Board was deferred until the end of the meeting.

Under Finance and Electric Committee, a motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To deny the request, from Scott Lehr, to waive the penalty on his tax bill. Passed by unanimous vote.

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 and distribute the adjusted response letter questioning the exceeded PCE levels, at the Quarry's Monitoring Well #6a, addressed to the office of Senator Judy Schwank, in regard to the letter received from DEP representative, Ramez Ziadeh, dated July 26, 2022. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To enter into an agreement, with the County of Berks, regarding the Peach Street Bridge. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the posting of "No Trespassing" signs at various Water Treatment Plant locations. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To designate Michael Miller as an Authorized Representative, for the Borough of Kutztown, for all wastewater data reporting purposes. Passed by unanimous vote.

President Snyder called for an Executive Session, to discuss personnel and legal matters, at 7:56 p.m. The Executive Session ended, and the meeting reconvened at 8:20 p.m.

A motion was made by Mr. Engelhardt, seconded by Ms. Ladd-Kidder, Resolved, To appoint Kozloff Stoudt Attorneys to represent the Borough's Zoning Hearing Board, Civil Service Commission and Housing License Appeals Board. Passed by unanimous vote.

Under Miscellaneous, 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 8:22 p.m.

Prepared by:

Gina M. Wiand
Borough Secretary

Prepared and attested by:

Andrea Rahn
Assistant Borough Secretary

Kevin J. Snyder and Andrea Rahn hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from July 16, 2022, through August 12, 2022, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Andrea Rahn