

August 21, 2018
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, Mr. Richard Diehm, Mr. Scott Piscitelli, Ms. Arabel Elliott, 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 Craig Summers; Mr. Matt Hafer, Acting Community Development Director; Maxatawny Township representative Steve Wilson; Planning Commission representative Lisa Ladd-Kidder; North Star Design representative Bill Viola; Kutztown Rotary Club representative Jim Springer; Kutztown Area Transport Services representative Rodney Freeman; Fox Rothschild representative Jennifer Wunder; resident Warren Shaub; and Ron Devlin, reporter for the Reading Eagle, were also present.

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

Jim Springer thanked Council for supporting the Rotary Club's Taste of Kutztown event, which was very successful this year.

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

-) Review and accept the Minutes of the July 17, 2018 Borough Council meeting.
-) Review and accept the Borough Community Development Report for July, 2018.
-) Ratify approval for the payment of bills and necessary transfers of funds which,

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have been provided to Borough Council in the Accounts Payable G/L Distribution Report, including payment dates from July 14, 2018, through August 17, 2018, as summarized below.

General Fund	\$376,961.95
Refuse and Recycling Fund	\$54,815.79
Fire Protection Tax Fund	\$7.00
Recreation Tax Fund	\$28.00
Road Tax Fund	\$28.00
Water Fund	\$303,212.05
Electric Fund	\$386,402.86
Sewer Fund	\$507,650.78
Telecommunications Fund	\$131,771.87

Passed by unanimous vote.

Under Borough Planning Commission, Lisa Ladd-Kidder read aloud the Planning Commission's recommendation that Council introduce and authorize advertisement of the proposed Ordinance amending the Code of the Borough of Kutztown by amending the Borough of Kutztown Zoning Ordinance, Chapter 225, to provide for the establishment and regulation of medical marijuana facilities and repealing all Ordinances inconsistent herewith.

A brief discussion ensued and Mr. Mooney confirmed that the Ordinance wording is per the state statute and that it will go through the County Planning Commission for review before being advertised.

A motion was made by Mr. Diehm, seconded by Mr. Mace, Resolved, To introduce and authorize advertisement of the proposed Ordinance amending the Code of the Borough of Kutztown by amending the Borough of Kutztown Zoning Ordinance, Chapter 225, to provide for the establishment and regulation of medical marijuana facilities and repealing all Ordinances inconsistent herewith. Passed by unanimous vote.

Ms. Ladd-Kidder also commended the Wastewater Department for their efforts during the recent flooding in Kutztown.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, the Monthly Police Report for July, 2018 was submitted.

The following fines were collected:

District Justice Greth	June, 2018	\$5,127.69
Clerk of Common Pleas	June, 2018	\$682.06
Secretary's Office	July, 2018	\$1,300.00

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

RESOLUTION NO. 12-2018

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF KUTZTOWN, BERKS COUNTY, PENNSYLVANIA, REQUESTING A KEYSTONE COMMUNITIES PROGRAM GRANT OF \$25,000.00, FROM THE COMMONWEALTH FINANCING AUTHORITY, TO BE USED FOR THE BOROUGH OF KUTZTOWN COMMERCIAL AND RENTAL HOUSING STRATEGIC PLAN.

BE IT RESOLVED, that the Borough of Kutztown ("Applicant") hereby requests a Keystone Communities Program grant of \$25,000.00, from the Commonwealth Financing Authority, to be used for the Borough of Kutztown Commercial and Rental Housing Strategic Plan; and

BE IT FURTHER RESOLVED, that the Applicant does hereby designate Gabriel Khalife, who at the time of signing has the title of "Borough Manager", as the official to execute all documents and agreements between the Borough of Kutztown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

I, Gina M. Wiand, duly qualified Secretary of the Borough of Kutztown, PA, hereby certify that the forgoing is a true and correct copy of a Resolution duly adopted by a majority vote of the Borough Council at a regular meeting held August 21, 2018, and said Resolution has been recorded in the Minutes of the Borough of Kutztown and remains in effect as of this date.

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DULY ADOPTED AS A RESOLUTION this 21st day of August, 2018, 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. Piscitelli, seconded by Mr. Diehm, Resolved, To approve Standard Operating Procedure 2018-01, which is intended to provide officers with instructions on when and how to use body-worn cameras so that officers may reliably record their contacts with the public in accordance with the law. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To purchase two SpeedAlert Radar Message Signs, from All Traffic Solutions, in the amount of \$9,440.00. Passed by unanimous vote.

A motion was made by Mr. Piscitelli, seconded by Mr. Seyler, Resolved, To approve the request, from the Kutztown Youth Football Club, to install a flagpole next to their scoreboard; to install a permanent sign at the Laurel Street park entrance; to hang advertisement signs on the fences; and to place a temporary A-frame sign at the intersection of South Laurel Street and East Main Street on game days. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To ratify the request, from Josh Hartle, to rent the Scooter Building on August 18, 2018. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve the negotiated pricing for a new HVAC unit for the police station. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Piscitelli, Resolved, To approve May 4 and September 21, 2019, as the RRS Electronics Recycling event dates. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Mr. Diehm, seconded by Ms. Elliott, Resolved, To adopt a revised Community Development Director job description. Passed by unanimous vote.

Mr. Piscitelli commended Matt Hafer for “doing a great job in the interim.”

A motion was made by Mr. Diehm, seconded by Ms. Elliott, Resolved, To hire Herbert Moyer and Chester Reimer, Jr., as CSO II employees, contingent upon passing all required clearances, physicals and screenings. Passed by unanimous vote.

A motion was made by Mr. Diehm, seconded by Ms. Elliott, Resolved, To reappoint Tim Haring, as a member of the Borough Planning Commission, whose term shall expire on September 1, 2022. Passed by unanimous vote.

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

Under Finance and Electric Committee, Mr. Mace commented that the lakeside screen the Borough installed really helped during the recent flooding in the Borough.

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 a sewer credit request, for 459 E. Main Street, in the amount of \$755.87. Passed by unanimous vote.

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Under Miscellaneous, a motion was made by Mr. Mace, seconded by Mr. Piscitelli, Resolved, To authorize Kevin Snyder to execute the Wells Fargo Bank easement agreement on behalf of the Borough. Passed by unanimous vote.

Bill Viola, from North Star Designs, noted that the right-of-way in the easement agreement was corrected. Mr. Mooney responded that they will still need to get a variance, from the Zoning Hearing Board, to build a ramp because they are encroaching on the required setback even further.

President Snyder noted the following vacancies:

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

President Snyder called for an Executive Session at 7:59 p.m. to discuss personnel and legal matters. The Executive Session ended and the meeting reconvened at 8:17 p.m.

A motion was made by Mr. Diehm, seconded by Mr. Piscitelli, Resolved, To promote Matt Hafer, as the Community Development Office Administrator, at a yearly salary of \$62,000.00. Passed by unanimous vote.

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 8:19 p.m.

Prepared and Attested by: Gina M. Wiand
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 July 14, 2018, through August 17, 2018, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand