

December 15, 2020
Kutztown, PA

A regular meeting of the Kutztown Borough Council was called to order at 7:33 p.m., via Zoom, 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. Gina M. Wiand, Borough Secretary/Public Relations and Marketing Director; Police Chief Craig Summers; Ms. Judith Danko, Community Development Director; Kutztown Community Partnership/Kutztown University Community Liaison Sandy Green; Planning Commission representatives Lisa Ladd-Kidder, Joel Seidel and Fred Englehardt; Environmental Advisory Commission representative Warren Shaub; Allentown & Auburn Railroad representative Mike Bast; Kutztown Area Transport Service (KATS) representative Rodney Freeman; Pastor Adan Roberts (Grace Church), Deanna Johnson, Alex Elliker, Phila Back, Ken Jones, Lisa Mitchell, Chad Master and Andy Arnold were also present.

President Snyder noted the following vacancies:

Code Appeals Board:	Four Member Vacancies
	One Alternate Vacancy
Zoning Hearing Board:	Two Alternate Vacancies
Civil Service Commission:	One Member Vacancy
Kutztown Municipal Authority:	One Member Vacancy
Housing License Appeals Board:	Three Alternate Vacancies
Environmental Advisory Commission	Three Member Vacancies
Telecommunications Advisory Commission:	Two Member Vacancies

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

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Deanna Johnson and Chad Master, from 351 Normal Avenue, addressed Council about the ongoing situation with their fence.

Mr. Mooney explained that they were supposed to submit a proposal after their meeting with him and their attorney, Mr. Elliker.

Mr. Elliker noted that since there were no Council members present during their meeting, he wanted to discuss things tonight; however, Mr. Mooney insisted that a proposal should be sent first. Mr. Elliker agreed to send a proposal.

Lisa Ladd-Kidder commented that she would like to see the zoning regulations applied fairly and equally.

Warren Shaub thanked Council for making their Borough E-mail addresses public.

Next, Mr. Shaub asked why there is an end time on the Zoom meeting listing, and Mr. Mace explained that it has to do with allowing people to access the meeting if they log on later than the start time.

Finally, Mr. Shaub inquired about a new bike path, but Council was unaware of what he was referring to.

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

- Review and accept the Minutes of the November 17, 2020 Borough Council meeting.
- Review and accept the Borough Community Development Report for November, 2020.
- 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 November 14, 2020, through December 11, 2020, as summarized below:

General Fund	\$399,187.72
Refuse and Recycling Fund	\$28,478.28
Water Fund	\$37,958.98
Electric Fund	\$231,174.77
Sewer Fund	\$103,203.02
Telecommunications Fund	\$20,826.68

Passed by unanimous vote.

Under Borough Planning Commission, Ms. Ladd-Kidder reported that the September and October Planning Commission minutes will be submitted along with the 2020 Annual Report.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, the Monthly Police Report for November, 2020 was submitted.

Ms. Raudenbush noted that the following fines were collected:

District Justice Greth	October, 2020	\$3,653.68
Clerk of Common Pleas	October, 2020	\$13.43
Secretary's Office	November, 2020	\$3,775.00
Parking Kiosk	November, 2020	\$78.00

A motion was made by Mr. Mace, seconded by Ms. Elliott, Resolved, To approve a \$1,000.00 donation to Zoe's House, Inc., a no-kill animal shelter in Sinking Spring, PA, and to approve paying the shelter \$250.00, per dog, if they rescue more than four dogs within a year. Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To enact and ordain the following Ordinance:

ORDINANCE NO. 3-2020

AN ORDINANCE OF THE BOROUGH OF
KUTZTOWN, BERKS COUNTY, PENNSYLVANIA,
VACATING AND REMOVING FROM THE
TOPOGRAPHICAL SURVEY OF THE BOROUGH OF

KUTZTOWN, A PORTION OF BALDY ALLEY, AS SHOWN ON EXHIBIT "A."

Passed by unanimous vote.

Mr. Mooney asked if the Borough received a petition against the Ordinance, and Mr. Khalife responded that it did not.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve payment No. 2, to Schlouch Incorporated, for the 2020 Paving and Storm Sewer Improvements Project, in the amount of, \$14,638.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the request, from the Boy Scouts, to use the entire Kutztown Park on April 24, 2021, for their First Aid Meet in accordance with all COVID-19 guidelines at that time. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the request, from Grace Church, to use the outside area of the Train Station, on December 24, 2020, for their Christmas Eve services (3:00 p.m., 4:00 p.m., 5:00 p.m., 6:00 p.m. and 7:00 p.m.) provided they follow all COVID guidelines in place at that time. All opposed, except for Mr. Seyler and Mr. Snyder, who voted Aye. The motion was defeated and therefore did not pass.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To extend the pool snack stand lease agreement, with the Kutztown Community Partnership, for the 2021 season. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To extend the park snack stand lease agreement with Mad Dogs, for the 2021 season. All those in

favor, except for Ms. Raudenbush and Mr. Mace, who voted Nay. There being a majority in favor, the motion passed.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To approve accepting a bilingual sign, purchased by Deutsch-Pennsylvanischer Arbeitskreis and Elwetritsche Verein, for placement at the Band Shell. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To sell a 2002 Ford E350 Bucket Van, to Archbald Borough, in the amount of \$9,800.00. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To sell a 1999 Ford Crown Victoria, with parts car, to Malak Faltawws, in the amount of \$1,950.00. Passed by unanimous vote.

Under Personnel Committee, a motion was made by Ms. Elliott, seconded by Ms. Raudenbush to reappoint Jeff Dietrich, as a member of the Housing License Appeals Board, whose term shall expire on January 1, 2022. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To appoint John Fry, as a member of the Telecommunications Advisory Commission, whose term shall expire on January 1, 2023. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To reappoint Richard Diehm, as a member of the Zoning Hearing Board, whose term shall expire on January 1, 2024. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To appoint Gerry Hynes, as a member of the Kutztown Community Library Board of

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Directors, whose term shall expire on January 1, 2024. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To appoint Joshua Sprinkle, as a member of the Kutztown Community Library Board of Directors, whose term shall expire on January 1, 2024. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To reappoint Karen Feridun, as a member of the Borough Planning Commission, whose term shall expire on January 1, 2025. Passed by unanimous vote.

A motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To reappoint Fred Englehardt, as a member of the Borough Planning Commission, whose term shall expire on January 1, 2025. Passed by unanimous vote.

Off of the agenda, a motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To approve the following salary increases for 2021: administrative, confidential and part time staff, 1%; Chief of Police, 3%; and Judith Danko, 5.5%. Passed by unanimous vote.

President Snyder noted that Council met in Executive Session, prior to the start of this meeting, to discuss personnel and legal matters.

Under Finance and Electric Committee, a motion was made by Mr. Mace, seconded by Mr. Seyler, Resolved, To enact and ordain the following Ordinance:

ORDINANCE NO. 4-2020

AN ORDINANCE OF THE BOROUGH OF
KUTZTOWN, COUNTY OF BERKS,
COMMONWEALTH OF PENNSYLVANIA
FIXING THE TAX RATE FOR THE YEAR 2021.

Passed by unanimous vote.

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

the proposed budget for 2021. Passed by unanimous vote.

Under Telecommunications and Information Technologies Committee, a motion was made by Ms. Elliott, seconded by Ms. Raudenbush, Resolved, To approve the placement of a repeater antenna, at the headend, for the Civil Air Patrol. Passed by unanimous vote.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the allocation of 372 gallons per day, of sewer, for the 15197 Kutztown Road project. Mr. Mace noted that this is an existing customer, so there are no new lines. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Mace, Resolved, To approve the allocation of 575 gallons per day, of water, to KMA for the 15197 Kutztown Road project. Mr. Mace noted that this is an existing customer, so there are no new lines. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Ms. Elliott, Resolved, To accept and authorize advertisement of the proposed meeting schedule for 2021. Passed by unanimous vote.

Mayor Schlegel announced that the Borough is in a Class B Snow Emergency and he wished everyone a Merry Christmas.

A motion was made by Mr. Seyler, seconded by Ms. Raudenbush, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:34 p.m.

Prepared and Attested by: Gina M. Wiand
Borough Secretary

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Kevin Snyder and Gina Wiand hereby ordered payment of the expenditures listed in the Accounts Payable G/L Distribution Report, including payment dates from November 14, 2020, through December 11, 2020, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand