

December 16, 2025
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 Vice President, Dr. Derek Mace, with other members of Borough Council present: Mr. Edwin Seyler, Ms. Lisa Ladd-Kidder, Mr. George Kusterer, Mr. Frederick Engelhardt, and the Mayor, Mr. James Schlegel. President Kevin Snyder 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 Mike Clery; Ms. Sharon Dalickas, Finance Director/Assistant Treasurer/Acting Assistant Borough Manager; Kutztown Planning Commission representative Bob Weller; Kutztown Community Partnership representatives Ellen and Peter Overcast, Pete Smith, and Seth Johnson; and Borough residents Eric Boyer and Katharine Keegan were also present.

Mr. Kusterer opened the meeting with a prayer.

Ellen Overcast presented the Kutztown Community Partnership's annual report to Council including information about Fall Fest, working to acquire accreditation through the DCED, and Strand Theatre renovations.

A motion regarding funding was not needed since it is a budgeted item. Mr. Khalife asked Ms. Overcast to send him a request for payment.

Vice President Mace noted the following vacancies:

Code Appeals Board:	Four 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

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

- Review and accept the Minutes of the November 18, 2025, Borough Council meeting.
- Review and accept the Borough Community Development Report for November 2025.
- Take action on the request from the Kutztown Optimist Club to use the Park for the Easter Egg Hunt on April 4, 2026, at 11:00 a.m., rain or shine.
- 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 15, 2025, through December 12, 2025.

General Fund	\$105,337.32
Refuse and Recycling Fund	\$45,661.50
Water Fund	\$172,250.68
Electric Fund	\$306,289.17
Sewer Fund	\$176,213.82
Telecommunications Fund	\$18,695.25

Passed by unanimous vote.

Under Borough Planning Commission, Bob Weller presented their annual report to Council. There were no questions or comments.

A motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To approve the Planning Commission's recommendation to approve the three waivers suggested by HRG, and to meet all conditions of their engineering review letter, for the proposed parking lot at 154 W. Walnut Street. Passed by unanimous vote.

Under Environmental Advisory Commission, there was nothing to report.

Under Community Development and Public Safety Committee, the Monthly Police Report for November 2025 was submitted.

The following fines were collected:

District Justice Greth	November 2025	\$2,409.20
Clerk of Common Pleas	November 2025	\$89.04
Secretary's Office	November 2025	\$4,775.00

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

RESOLUTION NO. 8-2025

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF KUTZTOWN, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, RECOGNIZING THE AUTHORITY OF KUTZTOWN FIRE & RESCUE, INC. TO SEEK REIMBURSEMENTS FOR HAZARDOUS MATERIALS, ENVIRONMENTAL INCIDENTS, AND FIRE, SAFETY, AND RESCUE RESPONSES

WHEREAS, the Borough Council of the Borough of Kutztown has recognized and designated Kutztown Fire & Rescue, Inc. (the "Fire Department") as an official Fire Company for the Borough of Kutztown; and

WHEREAS, the Fire Department responds to fire incidents, safety, and rescue incidents, environmental incidents and hazardous material incidents within the Borough; and

WHEREAS, such responses by the Fire Department are made either directly, via 911 responses, or in coordination with the Berks County Emergency Management Association; and

WHEREAS, said responses, on occasion, involve the use of hazardous material abatement equipment, as well as hazardous abatement materials; and

WHEREAS, it is the intention of the Borough to recognize the authority of the Fire Department, where permitted by law, to seek collection and reimbursement for the reasonable costs of responding to such incidents, either directly or in coordination with the Berks County Emergency Management Agency.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kutztown, and it is hereby resolved by the authority of the same as follows:

SECTION 1. The Borough Council of the Borough of Kutztown hereby recognizes the authority and authorizes Kutztown Fire & Rescue, Inc., when permitted by the Commonwealth of Pennsylvania, to recover the reasonable costs of firefighting materials, equipment, personnel hours, and hazardous materials involving any hazardous material incident, or fire, of safety and rescue incident or operation, including vehicular accidents.

SECTION 2. The costs, as outlined above, shall be recovered directly by the Fire Department, and not through the Borough of Kutztown, or by Agreement with the Berks County Emergency Management Agency, or through the third (3rd) party billing service known as Financial Invoicing Resources Engaged, Inc. (F.I.R.E., Inc.) as an authorized agency for the collection of said costs. The utilization of F.I.R.E., Inc. shall be for those situations deemed by F.I.R.E., Inc. as appropriate for collection through the Agency, principally those incidents involving the use of hazardous abatement materials and/or incidents involving the Berks County Emergency Management Agency.

SECTION 3. In addition to the aforementioned reasonable costs, the Fire Department, or F.I.R.E. Inc., where permitted by law, shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same, and any and all additional fees as may be authorized by the Hazardous Materials Emergency Planning and Response Act, or authorized by other statute, case law, or common law.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Borough Council of the Borough of Kutztown that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

FURTHER RESOLVED, that the Borough Secretary shall deliver a certified copy of this Resolution to Kutztown Fire & Rescue, Inc.

ADOPTED by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled this 16th day of December, 2025.

Passed by unanimous vote.

A motion was made by Mr. Kusterer, seconded by Mr. Engelhardt, Resolved,
To approve Standard Operating Procedure 2025-02 regarding Public Recording of Police.

Passed by unanimous vote.

Under Public Works Committee, a motion was made by Mr. Seyler, seconded by Mr. Kusterer, Resolved, To approve the new municipal building permit drawing Change Order 002 for the two hour-rated walls and upgraded doors in the new multipurpose room for a total cost of \$4,599.06. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve the new municipal building duct work Change Order 004 to have double wall insulated duct installed in the new building, for a total cost of \$14,045.02.

Ms. Ladd-Kidder asked why there are “extra” charges on the change orders.

Mr. Khalife explained that the charges cover items that would have initially been included if they were budgeted.

Mr. Mooney stated that the insurance cannot be charged until a certain point of construction has been reached.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Mr. Engelhardt, Resolved, To approve Allowance Adjustment 1001 to use a portion of the \$29,150.00 rock allowance to cover the \$12,300.00 excess concrete charge, leaving a \$16,850.00 balance in the contract’s rock allowance.

Ms. Ladd-Kidder asked why the Borough is being charged if the full budget has not been spent yet.

Mr. Mooney explained that the contractor hit rock, so we will need to use the rock allowance which was obtained for this reason.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the Reading Buccaneers Alumni Drum and Bugle Corps to use the Scooter Building on August 14, 2026, from 3:00 p.m. until 11:00 p.m., and on August 22, 2026, for the 2026 Summer Concert Series; and to waive the rental fees for these events. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the request from Kutztown Scout Troop 101 to use the Ceres Pavilion on June 16, 2026, for their annual Flag Retirement Ceremony, and to waive the associated rental fees. Passed by unanimous vote.

Under Personnel Committee, an Executive Session to discuss personnel and legal matters was deferred until the end of the meeting.

A motion was made by Mr. Engelhardt, seconded by Ms. Ladd-Kidder, Resolved, To enter into a Memorandum of Agreement to renew the Police Physical Fitness Incentive. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, and seconded by Ms. Ladd-Kidder Resolved, To accept, with regret, Janet Yost's retirement notice, whose last working day shall be January 30, 2026.

Ms. Ladd-Kidder asked Mr. Khalife to send Ms. Yost a letter of appreciation. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, and seconded by Mr. Kusterer Resolved, appoint Jason Geisinger as the Crew Leader for the Refuse and Recycling Department. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, and seconded by Mr. Kusterer

Resolved, To terminate the employment of Travis Diehl, with regret, once his donated sick time and related FMLA time is exhausted. Passed by unanimous vote.

A motion was made by Mr. Engelhardt, and seconded by Mr. Kusterer

Resolved, To ratify a settlement agreement with Officer Matthew Yerger regarding his appeal to reinstate his personal paid time off while out on Heart and Lung leave. Passed by unanimous vote.

The item regarding appointing a full-time Code Enforcement Officer, at an annual salary of \$78,000.00, contingent upon passing all required background checks will be discussed in Executive Session.

Under Finance and Electric Committee, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To enter into an Interconnection Agreement for 221 Chestnut Street. Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To enact and ordain the following Ordinance:

ORDINANCE NO. 4-2025

AN ORDINANCE OF THE BOROUGH OF
KUTZTOWN, COUNTY OF BERKS,
COMMONWEALTH OF PENNSYLVANIA
FIXING THE TAX RATE FOR THE YEAR 2026.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To adopt the following Resolution:

RESOLUTION NO. 9-2025

A RESOLUTION OF THE COUNCIL OF THE
BOROUGH OF KUTZTOWN, BERKS COUNTY,
PENNSYLVANIA AMENDING CHAPTER A231-

SECTION 107-7, OF THE CODE OF THE BOROUGH OF KUTZTOWN SO AS TO ADOPT THE RATES FOR ELECTRIC SERVICE FURNISHED TO CONSUMERS EFFECTIVE JANUARY 1, 2026, WITH THE ELECTRIC BILLS DUE AND PAYABLE ON AND AFTER FEBRUARY 1, 2026, SAID RATES TO REMAIN IN EFFECT UNTIL CHANGED BY RESOLUTION, AND SUPERSEDING ANY AND ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INCONSISTENT WITH THIS RESOLUTION.

WHEREAS, the Council of the Borough of Kutztown from time to time adopts resolutions establishing the rates to be charged for electrical service furnished to consumers, by authority of the duly enacted ordinances of the Borough of Kutztown, Berks County, Pennsylvania.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kutztown, Berks County, Commonwealth of Pennsylvania as follows:

Section 1 - Section A231-1, Chapter 107 of the Code of the Borough of Kutztown is hereby repealed and reenacted to read as follows:

RATE SCHEDULE RGMS
Customer Generated Net Electricity
Purchase Buyback Rate

APPLICATION:

This rate schedule is for purchase by the Borough of net customer generated electricity at month end when customer generated kilowatt hours exceed the kilowatt hours of electricity supplied by the Borough.

NET MONTHLY BUYBACK RATE:

4.061 cts. per KWH for each KWH.

APPLICATION PROVISIONS:

- (1) This rate schedule applies to all customer classes.

RATE SCHEDULE RG
GENERAL RESIDENTIAL SERVICE

APPLICATION:

This rate schedule is for single phase residential service in accordance with the APPLICATION PROVISIONS hereof.

NET MONTHLY RATE:

\$11.31 per month plus
20.64 cts. per KWH for the first 200 KWH.
16.80 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The Net Monthly Rate Minimum is \$11.31.

WATER HEATING SERVICE:

When a customer has an electric water heater which meets all the requirements of this provision, a block of 400 KWH is billed at 16.80 cts. per KWH after the first 200 KWH is billed. All additional KWH are billed at 16.30 cts. per KWH.

LEVELIZED BUDGET BILLING:

Levelized Budget Billing is available at the option of the customer. When a customer elects budget billing, the Borough will bill the customer each month an amount approximately equal to one eleventh of the estimated annual billing with appropriate periodic adjustments made, and a twelfth month payment sufficient to cover the balance owing for a full year so the total for each twelve-month billing cycle will equal the actual charges under the rate for the same twelve-month billing period. In order to qualify for Levelized Budget Billing the customer must have a twelve month billing history at the same service location with the Borough. At the discretion of the Borough Manager, if customers are late or delinquent in paying bills or are determined to be a credit risk, customers may be removed or denied the option of Levelized Budget Billing.

APPLICATION PROVISIONS:

- (1) This rate schedule is for single phase electric service for:
 - (a) A single family dwelling and appurtenant detached buildings.
 - (b) A separate dwelling unit in an apartment house.
 - (c) A single farm dwelling and general farm uses.
- (2) This rate schedule does not apply to:
 - (a) Residential service that includes more than 2,000 watts of connected load attributable to commercial or professional use exclusive of space heating and air conditioning in common with the residence.
 - (b) Residential service combined with any commercial or professional use outside the residence or in a section of a multi-use building that is separate from the dwelling unit.
 - (c) Service which includes common use for halls, basement, or other portions of an apartment building.
 - (d) Establishments recognized by name, notice or advertisement, such as hotels, clubs, fraternities, boarding houses, institutions, orphanages, rest homes, tourist homes and rooming houses with more than 3 rooms available for such use and rectories and convents with accommodations for more than 5 adults.
- (3) Where any use of service at a residence is not eligible for the application of this rate schedule, customer has the option to provide separate circuits so that the portion that is applicable can be metered and billed separately hereunder and the remaining portion can be billed under the applicable general service rate schedule. When separate circuits are not provided, the entire service is billed under the applicable general service rate schedule.
- (4) Water heaters shall be automatic with a tank capacity of 30 gallons or more, equipped with noninductive heating elements, each thermostatically controlled and so connected that not over 5,000 Watts can operate at one time. The water heater shall be the exclusive source of hot water at all times. The Borough may check the installation if and when it deems necessary.

RATE SCHEDULE RH
RESIDENTIAL SERVICE WITH ALL ELECTRIC HOUSE HEATING

APPLICATION OF SCHEDULE:

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This rate schedule is for single phase residential service in accordance with the APPLICATION PROVISIONS, hereof, when electricity is the sole source of energy for space heating, cooking and water heating.

NET MONTHLY RATE:

\$11.31 per month plus
20.64 cts. per KWH for the first 200 KWH.
16.80 cts. per KWH for the next 400 KWH.
15.45 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.
The Net Monthly Rate minimum is \$11.31.

SPACE HEATING REQUIREMENTS:

Electric space heating units and/or electrically operated central year round air conditioning equipment shall be permanently installed and shall be the sole means of heating the dwelling unit. Fireplaces are the only supplementary heating source permitted in conjunction with electric heating.

WATER HEATING REQUIREMENTS:

Water heaters shall be automatic with a tank capacity of 30 gallons or more, equipped with noninductive heating elements, each thermostatically controlled and so connected that not over 5,000 Watts can operate at one time. The water heater shall be the exclusive source of hot water at all times. The Borough may check the installation if and when it deems necessary.

LEVELIZED BUDGET BILLING:

Levelized Budget Billing is available at the option of the customer. When a customer elects budget billing, the Borough will bill the customer each month an amount approximately equal to one eleventh of the estimated annual billing with appropriate periodic adjustments made, and a twelfth month payment sufficient to cover the balance owing for a full year so the total for each twelve-month billing cycle will equal the actual charges under the rate for the same twelve-month billing period. In order to qualify for Levelized Budget Billing the customer must have a twelve month billing history at the same service location with the Borough. At the discretion of the Borough Manager, if customers are late or delinquent in paying bills or are determined to be a credit risk, customers may be removed or denied the option of Levelized Budget Billing.

APPLICATION PROVISIONS:

(1) This rate schedule is for single phase electric service for:

- (a) A single family dwelling and appurtenant detached building.
- (b) A separate dwelling unit in an apartment house.
- (c) A single farm dwelling and general farm use.

(2) This rate schedule does not apply to:

- (a) Residential service that includes more than 2,000 watts of connected load attributable to commercial or professional use exclusive of space heating and air conditioning in common with the residence.
- (b) Residential service combined with any commercial or professional use outside the residence or in a section of a multi-use building that is separate from the dwelling unit.

- (c) Service which includes common use for halls, basement, or other portions of an apartment building.
 - (d) Establishments recognized by name, notice or advertisement, such as hotels, clubs, fraternities, boarding houses, institutions, orphanages, rest homes, tourist homes and rooming houses with more than 3 rooms available for such use and rectories and convents with accommodations for more than 5 adults.
- (3) Where any use of service at a residence is not eligible for the application of this rate schedule, customer has the option to provide separate circuits so that the portion that is applicable can be metered and billed separately hereunder and the remaining portion can be billed under the applicable general service rate schedule. When separate circuits are not provided, the entire service is billed under the applicable general service rate schedule.

RATE SCHEDULE CD

SMALL GENERAL SERVICE
AT SECONDARY VOLTAGE OR HIGHER

APPLICATION OF RATE SCHEDULE CD:

This rate schedule is for small general service at secondary voltage or at a higher available voltage at the option of the Borough. The billing demand is limited to 3 KW for non-profit entities where no portion of the building is rented or leased for activities not sponsored by the non-profit.

NET MONTHLY RATE:

Demand \$2.12 per kilowatt for all Billing KW.

KWH Charge 22.62 cts. per KWH for the first 100 KWH per kilowatt of the Billing KW
16.01 cts. per KWH for the next 100 KWH per kilowatt of the Billing KW
13.54 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The Net Monthly Rate Minimum is \$3.67 per kilowatt of the minimum billing demand of 3 KW.

Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

BILLING KW:

Where no demand meter is installed, Billing KW is 3 KW.

The Borough installs a demand meter when it estimates that the demand exceeds 3 KW. The Billing KW is the average number of kilowatts supplied during the 15-minute period of maximum use during the current billing period taken to the nearest ½ kilowatt, but not less than 3 KW.

RATE SCHEDULE IG GENERAL INDUSTRIAL SERVICE AT SECONDARY VOLTAGE OR HIGHER

APPLICATION RATE SCHEDULE IG:

This rate schedule is for general industrial service, served at a secondary voltage, or at a higher available voltage at the option of the Borough. Where necessary, the Borough furnishes and maintains one transformation from line voltage to a lower Borough standard service voltage.

NET MONTHLY RATE:

Demand \$15.36 per kilowatt for the first 125 kilowatts of the Billing KW.

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\$12.68 per kilowatt for all additional kilowatts of the Billing KW.
KWH Charge 12.16 cts. per KWH for the first 150 KWH per kilowatt of the Billing KW.
10.29 cts. per KWH for the next 100 KWH per kilowatt of the Billing KW.
8.83 cts. per KWH for the next 50 KWH per kilowatt of the Billing KW.
8.03 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate.

The minimum monthly billing demand is 25 KW.

The Net Monthly Rate Minimum is \$15.36 per KW per the Minimum Billing Demand of 25 KW.

The Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

BILLING KW:

The Billing KW is the average number of kilowatts supplied during the 15-minute period of maximum use during the current billing period.

RATE SCHEDULE IS INSTITUTIONAL SERVICE RATE

APPLICATION OF SCHEDULE

This rate schedule is for three-phase service for a load in excess of 50 KW serving an institution of public, charitable or educational character, excluding industrial and commercial facilities.

TWO RATES

The "all electric" rate applies to those facilities where electricity is the sole source of energy for space heating, ventilating, air conditioning, cooking, water heating, lighting and power requirements. The "not all electric" rate applies to those facilities where only a portion of the energy needs are supplied by electrical energy.

MONTHLY RATE

Monthly Consumption KWH	All Electric Rate (¢/KWH)	Not All Electric Rate (¢/KWH)
15,000 & Less	15.08	17.00
30,000	14.89	16.83
45,000	14.72	16.65
60,000	14.54	16.47
75,000	4.36	16.13
90,000	14.20	15.95
105,000	13.84	15.78
120,000	12.63	15.60
135,000	13.49	15.42
150,000	13.32	15.26
165,000	13.15	15.08
180,000 & More	12.97	14.89

MINIMUM CHARGE

\$330.89

RATE SCHEDULE IP-H

LARGE GENERAL SERVICE AT 13,800 VOLTS OR HIGHER APPLICATION RATE SCHEDULE:

This rate schedule is for large general service supplied from available lines of 13,800 volts or higher when customer furnishes and maintains all equipment necessary to transform the energy from line voltage and when electricity is the principal source of all the customer's energy requirements, including space heating in accordance with the applications provisions hereof.

Electric space heating facilities shall be permanently installed and operated for personal comfort.
NET MONTHLY RATE:

Demand \$14.46 per kilowatt for the first 125 kilowatts of the Billing KW.
\$12.96 per kilowatt for all additional kilowatts of the Billing KW.

KWH Charge 11.53 cts. per KWH for the first 150 KWH per kilowatt of the Billing KW.
10.18 cts. per KWH for the next 100 KWH per kilowatt of the Billing KW.
8.70 cts. per KWH for the next 50 KWH per kilowatt of the Billing KW.
8.03 cts. per KWH for all additional KWH.

The Energy Charge applies to all KWH supplied under this rate
The Minimum Billing Demand is 25 KW.

The Net Monthly Rate Minimum is \$14.46 per KW per the Minimum Billing Demand of 25 KW.

The Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

BILLING KW:

The Billing KW is the average number of kilowatts supplied during the 15-minute period of maximum use during the current billing period.

APPLICATION PROVISIONS:

- (1) This rate schedule applies to single meter service for all of customer's energy requirements, under the following conditions:
 - (a) The facilities for electric space heating are, in Borough's judgment, a significant and integral portion of customer's total energy requirement to be supplied hereunder.
 - (b) Service supplied hereunder includes all energy requirements on customer's premises in a building.
 - (c) All service in one building is supplied at one voltage from one service connection.
 - (d) Another form of energy may be used for emergency lighting generators and, upon Borough approval, for other similar uses.
 - (e) When customer occupies an entire building, service hereunder may include uses of service outside the building only when they are directly incident to the principal use of service in the building.
- (2) Supplemental use of renewable energy sources such as wood, solar, wind and water is permitted in conjunction with service supplied hereunder without violating the total electric energy requirement of the rate. Any customer system of this type that produces electric

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energy may not be operated concurrently with service supplied by the Borough except under written agreement setting forth the conditions of such operation.

RATE SCHEDULE KF

KF-LARGE GENERAL SERVICE AT 69,000 VOLTS OR HIGHER

APPLICATION OF RATE SCHEDULE KF:

This rate schedule is for large general service supplied from available 3-phase lines of 69,000 volts or higher, with the customer furnishing and maintaining all equipment necessary to transform the energy from the line voltage.

NET MONTHLY RATE:

The KF energy rate shall be a block rate consisting of three (3) rate levels:

Level I: 8.20 cents per KWH

Level II: 8.87 cents per KWH

Level III: 12.39 cents per KWH

The rate levels shall be applied as follows:

The numbers listed with the Schedules are time and based on a twenty-four (24) hour clock.

Schedule A: Monday through Friday, during the months of April, May, June, July, August, September and October:

Level I rate shall apply: 23:00:00 through 6:59:59

Level II rate shall apply: 7:00:00 through 10:59:59 and 19:00:00 through 22:59:59

Level III rate shall apply: 11:00:00 through 18:59:59

Schedule B: For Monday through Friday, during the months of January, February, March, November and December:

Level I rate shall apply: 23:00:00 through 6:59:59

Level II rate shall apply: 12:00:00 through 16:59:59 and 20:00:00 through 22:59:59

Level III rate shall apply: 7:00:00 through 11:59:59 and 17:00:00 through 19:59:59

Schedule C: For all Saturdays and Sundays and the holidays of: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day:

Level I rate shall apply: 0:00:00-24:00:00

Or alternatively at the Borough's sole discretion the Borough may charge a blended rate of 11.00 cents per KWH for all KWH energy charge. The blended rate energy charge would apply to all KWH supplied under this rate.

The monthly rate minimum is \$4,197.44.

RELIABILITY PRICING MODEL SUPPLY CAPACITY CHARGE

In addition to the other charges, a supply capacity charge shall apply to rate schedule KF. The charge shall be based on the customer's peak load contribution to the Borough's PJM planning year peak load determinant for PJM Reliability Pricing Model Capacity charges. The charge shall be the product of the customer's fixed peak load contribution, as determined by the Borough, and the Borough's Reliability Pricing Model Capacity Charge, incurred by the Borough, expressed in dollars per kilowatt-month.

The customer's fixed peak load contribution shall be determined using load data from the previous planning year. In the event the load data is not available, the Borough will estimate the customer fixed peak load contribution.

For July 1, 2011 through May 31, 2012, the Reliability Pricing Model Capacity Charge shall be \$4.35 per KW-Month and the fixed peak load contribution shall be estimated at 1,800 KW.

The Pennsylvania state tax is applied as required by the Pennsylvania Department of Revenue.

ADVANCED METER MONITORING SERVICE FEE:

If the Borough offers and the customer subscribes to an advanced meter monitoring service, the fee shall be \$78.00 per month.

RATE SCHEDULE DD PRIVATE AREA LIGHTING SERVICE

APPLICATION OF RATE SCHEDULE DD:

This rate schedule is for the lighting of yards, private roadways, alleys and other areas supplied from existing overhead secondary distribution.

NET MONTHLY RATE:

Per light:

175 watt mercury vapor \$ 15.82

150 watt high pressure sodium \$ 15.82

250 watt high pressure sodium \$ 26.93

The Pennsylvania State Sales Tax is applied as required by the Pennsylvania Department of Revenue.

EQUIPMENT AND SERVICE:

Borough installs and maintains the bracket, luminaire, lamp and photoelectric control on a Borough-owned wood pole. Lamp is lighted from dusk to dawn or for approximately 4,300 hours per annum.

A mercury vapor lamp of a nominal, 6,650 lumens (175 watts), a high pressure sodium lamp of a nominal 16,000 lumens (150 watts) or a high pressure sodium lamp of a nominal 25,500 lumens (250 watts) is installed in a luminaire on a bracket. Lamp replacements are normally made on the first working day after outage notification by the customer to the Borough office. There is no credit for outages.

Borough installs up to one span of secondary not exceeding 150 feet from an existing secondary voltage supply and one pole for each lamp provided the location of the pole is accessible by a service truck for the installation and maintenance of the lamp and provided the Borough is furnished a suitable right of way.

Upon request and at the Borough's discretion, the Borough may install an area light fixture on a suitable customer-owned support.

Where a secondary supply is not available at the desired lamp location and/or where the distance is more than one span, the Borough may furnish the service providing the customer reimburses Borough for the Borough's estimated added investment required to supply the service in each case.

PAYMENT SCHEDULE AND CONTRACT PERIOD FOR ALL RATE SCHEDULES

PAYMENT:

12853

The above net rates apply when bills are paid on or before the due date specified on the bill. After the due date, the Borough may initiate collection procedures. A late payment charge of 10% will be applied on the unpaid balance of the current monthly bill if payment is not received on or before the due date.

CONTRACT PERIOD:

Not less than one year.

SECTION 2 – All other rate schedules set forth in Chapter A-231 of the Code of the Borough of Kutztown shall remain unchanged and in full force and effect.

SECTION 3 – All Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

DULY ADOPTED AS A RESOLUTION this 16th day of December, 2025, by the Council of the Borough of Kutztown, Berks County, Pennsylvania, in lawful session duly assembled to be effective beginning January 1, 2026, and applicable to all electric bills issued on or after February 1, 2026, until superseded by a duly adopted Resolution of the Council of the Borough of Kutztown.

Passed by unanimous vote.

A motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the proposed budget for 2026. Passed by unanimous vote.

Under Telecommunications and Information Technologies Committee, the Committee submitted the following End of Year Summary of IT Projects to Council:

1. Avigilon Upgrade to Avigilon Unity Platform – this is put on hold until January 2026, a new host is to be purchased in January 2026 for virtual machines. Two of the virtual machines will be the new Avigilon Unity servers.
2. LPR Project – the evaluation of the Avigilon LPR cameras is ongoing, a site has been determined and awaiting TWG (The Wire Guys) to schedule an on-site installation of the new LPR camera.
3. Windows 10 to Windows 11 upgrade – This is almost completed. There is a total of eight computers that need to be either upgraded or replaced. The few that need to be replaced, due to hardware incompatibility, will occur in January 2026.
4. Calix System Upgrade – this will be an ongoing project for at least the next year. Most of the hardware necessary for upgrade and migration has been received. Once configurations are completed, the migration from the Calix C7 system to the Calix AXOS system will begin.

5. Train Station – Some of the Audio/Video equipment in the Train Station utilized for the Council Meetings needs to be replaced and other equipment needs to be tuned. Currently, I am scheduling site visits and receiving quotes from local vendors.

6. SCADA systems – The upgrade has been completed; I am working with Keystone Engineering to allow the supervisors to remotely access a control panel to monitor the SCADA systems.

7. Active Directory migration to Windows 2022 Server Edition – this will be completed by 2026

8. Migrate current Fortigate Router to new Fortigate Router – this router is utilized for all internet customers; the current router will be end of life and support in mid-2026 and needs to be replaced.

9. Replacement of some core network switches on the Borough LAN (local area network) some switches are no longer supported and will be replaced.

10. Begin replacing older MikroTik routers used in Borough rental properties with new routers, this will be a continued project over the next 2 years.

Under Water and Wastewater Committee, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder, Resolved, To approve the DEP PCE letter regarding risk factors to the Saucony Creek Watershed. Passed by unanimous vote.

Under Miscellaneous, a motion was made by Mr. Seyler, seconded by Ms. Ladd-Kidder Resolved, To accept and authorize advertisement of the proposed meeting schedule for 2026, with changes to the May and June Council meetings, which will be May 20 and June 17. Passed by unanimous vote.

Vice President Mace called for an Executive Session to discuss personnel and legal matters at 8:09 p.m. The Executive Session ended, and the meeting was reconvened at 8:32 p.m.

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

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hire Michele Lopez Gudino as a Code Enforcement Officer, at an annual salary of \$78,000.00, contingent upon passing all required background checks. Passed by unanimous vote.

Mr. Englehardt announced that it was his last meeting, and he enjoyed serving on Borough Council.

Mayor Schlegel wished everyone a Merry Christmas!

A motion was made by Mr. Kusterer, seconded by Dr. Seyler, Resolved, To adjourn the Council meeting upon vote. Passed by unanimous vote. The meeting ended at 8:33 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 November 15, 2025, through December 12, 2025, in accordance with Section 1106 of the Borough Code, Commonwealth of Pennsylvania.

Kevin J. Snyder

Gina M. Wiand