

April 2, 2014

A regular meeting of the Borough Council was held on April 2, 2014, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Councilmembers David Erwin, Michael Johnson, Douglas Propst, Edward Scholl, Daniel Williams, Solicitor Jack Gross on behalf of Charles Fonzone, Manager Scott C. McElree and Assistant Borough Secretary Kris Barndt.

RESOLVED, That, the Minutes of March 5, 2014 be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following check registers be approved for payment:

March 3, 2014	\$ 1,830.00
March 7, 2014	\$ 208,707.52
March 14, 2014	\$ 951,896.66
March 17, 2014	\$ 3,835.00
March 21, 2014	\$ 21,328.75
March 26, 2014	\$ 392,594.73
March 28, 2014	\$ 16,118.61

Motion of Councilman Rosenberger, seconded by Councilman Scholl. President Roberts stated that he will abstain from voting as a purchase was made from Friendly Book Store. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the Financial Statement, Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilman Williams, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried.

Visitors:

Scott Soost, 322 W. Broad Street, Quakertown, indicated that he would like to speak regarding the triangle development. Mr. Roberts indicated that he could speak during the Revenue and Finance Committee portion of the agenda.

Stephen Biddle, 130 S. Main Street, Quakertown, indicated that he would like to speak regarding the triangle development and also Walgreen's design. Mr. Roberts indicated that he could speak during the Planning and Zoning Committee and the Revenue and Finance Committee portions of the agenda.

Ralph Moyer, III., 316 W. Broad Street, Quakertown, indicated that he would like to speak regarding the triangle development. Mr. Roberts indicated that he could speak during the Revenue and Finance Committee portion of the agenda.

Brian Povinsky, 219 N. Main Street, Barto, indicated he would like to speak regarding the Men's Slow Pitch League use of the park baseball field. Mr. Roberts indicated that he could speak during the Parks and Recreation Committee portion of the agenda.

Chris Goolsby, 141 S. Main Street, Quakertown, suggested adding an arm wrestling game at the YMCA. Mr. Roberts stated that the Borough does not have jurisdiction over the YMCA, but the YMCA has a Board of Directors for suggestions. Mr. Goolsby also mentioned the subject of arming teachers in their classrooms with self defense items other than guns. President Roberts stated that is a School Board issue. Borough Manager McElree stated he would speak with Mr. Goolsby and guide him to the YMCA and school for these issues.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 29-14, Bucks County Hazard Mitigation Plan, be adopted:

RESOLUTION NO. 29-14

WHEREAS, Quakertown Borough, Bucks County, Pennsylvania is most vulnerable to natural and human-made hazards which may result in loss of life and property, economic hardship and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval to the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, Quakertown Borough acknowledges the requirements of Section 322 of DMA 2000 to have an approved Hazard Mitigation Plan as a prerequisite to receiving post-disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the Bucks County 2011 Hazard Mitigation Plan that has been developed by the Bucks County Emergency Management Agency and the Bucks County Planning Commission in cooperation with other county departments, and officials and citizens of Quakertown Borough, and

WHEREAS, that Plan is due to expire, and updates to a multi-municipal plan require participation of all municipalities in the planning, development, and adoption,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council for Quakertown Borough the acceptance to participate or designate municipal agents to participate in the planning process of the County of Bucks Multi-Hazard Mitigation Plan Update 2014, by providing information to the best of our ability, attending meetings, and adopting the approved completed plan.

Motion of Councilman Scholl, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 34-14, Walgreen's Traffic Control Design, be adopted:

RESOLUTION NO. 34-14

WHEREAS, Traffic Planning & Design, Inc. of Doylestown, Pennsylvania, has designed and reviewed planned changes in traffic signal and signage as required by PennDOT pertaining to the Walgreens project located at Route 309 and Route 313; and

WHEREAS, a request was made by Traffic Planning and Design, Inc. to approve the signage and traffic signal planned changes which have been accepted by PENNDOT.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the traffic control design and authorizes the Borough Manager to sign the necessary resolution and applications.

Councilman Rosenberger indicated that Mr. Biddle could speak at this time.

Mr. Biddle asked for a description of the improvements which Walgreens has agreed to make. Councilman Scholl stated the traffic changes have been worked out with PennDot. Borough Manager McElree gave Mr. Biddle a diagram of the changes. Councilman Scholl explained a fifth lane in front of Walgreens will be added, the curb line will be cut back along Route 309 and a right hand turn lane will be installed. The center median strip will be cut back to make a turn from south bound Route 309 to East Route 313 and a bigger turn radius will be made from North Route 309 onto Broad Street. Councilman Scholl mentioned there will be no sidewalks installed and also that the billiards building will be demolished.

Motion of Councilman Scholl, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 28-14, funding for Clean Up Day, be adopted:

RESOLUTION NO. 28-14

WHEREAS, the Council of the Borough of Quakertown wishes to declare April 12, 2014 (rain date April 19, 2014) as Quakertown Clean-up Day; and

WHEREAS, funding in the amount of \$2,000 for plantings, trees, shrubs and flowers is needed.

NOW, THEREFORE BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown declares April 12, 2014 as Quakertown Clean-up Day in which a group of volunteers will clean up Borough owned properties.

BE IT FURTHER RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes funding in the amount of \$2,000 through the Borough's contingency fund.

Motion of Councilman Rosenberger, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 31-14, purchase of lighting fixtures for the new park, be adopted:

RESOLUTION NO. 31-14

WHEREAS, the Borough of Quakertown has received a quotation for the amount of \$249,172.00 from Schaedler-Yesco Distribution in Harrisburg, Pennsylvania for light fixtures in the new park; and

WHEREAS, the funds are available in the new park treasury and will cover the purchase of these light fixtures.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown to accept the quotation for \$249,172.00 by Schaedler-Yesco and permit the Borough Manager to authorize the necessary documentation on behalf of the Borough of Quakertown.

Motion of Councilman Rosenberger, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 36-14, replacement of the triangle fountain, be adopted:

RESOLUTION NO. 36-14

WHEREAS, the triangle water fountain material is defective and not durable and has had to have the floor replaced the last two years of the three years it has been installed; and

WHEREAS, Quakertown Alive! desires to purchase a new fountain and donate it to the Borough for the triangle park.

NOW, THEREFORE, BE IT RESOLVED, That the Council of the Borough of Quakertown wishes to accept the donation of a new fountain for the triangle park from Quakertown Alive!.

Motion of Councilman Rosenberger, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried.

Councilman Rosenberger announced that the triangle property agenda item is a continuation of discussion from the March 24, 2014 Work Session. At the Work Session Council asked the Borough solicitor to review a draft of an agreement and gave some items desired to be included. Council has received the updated agreement which would be used to transfer the triangle property to the Quakertown General Authority. The Quakertown General Authority would sell the property with a number of restrictions such as, the size of the building would be a minimum of three stories, would not exceed the zoning height and the facade materials would be natural materials versus man made materials.

Councilman Rosenberger asked Mr. Gross if he is satisfied that the agreement covers the Borough's interest. Mr. Gross stated he was satisfied with the agreement.

Councilman Rosenberger indicated Scott Soost could speak at this time. Mr. Soost explained he is owner of Tana Kaya and has been involved with retail downtown for 15 years, served 8 years on the Board for Quakertown Alive! and 6 years as Chairman of the Economic Development Committee. He has vested much time, personal sweat equity and money into the revitalization of downtown and would like to think Tana Kaya is an attribute to the downtown. Mr. Soost feels the triangle project was developed without the downtown merchant's opinions. Mr. Soost believes the success and strength of the retail on the 300 block of Broad Street, with a low rate of turnover, is because of visibility and accessible parking. Mr. Soost stated if this project moves forward, the businesses downtown would suffer greatly because of construction traffic loss, decreased visibility and loss of readily accessible parking. Mr. Soost mentioned when the Borough previously replaced sewer lines on Broad Street his business took a financial hardship and if this project moves forward, he would have to move his business out of town.

Councilman Rosenberger mentioned on April 9 & 10, 2014 meetings will be held with the downtown merchants along with the developer and a member from Delta to address concerns and questions regarding the triangle project.

Councilman Scholl mentioned there was a confidentiality agreement going through the grant process. Once the grant was awarded for this project, the public was then made aware of the project. There now are timelines attached to that grant. Councilman Scholl mentioned this may be why it seems to the public that planning took place in a short time. Councilman Scholl stated professionals regarding town revitalization were hired years ago and new development in the downtown was part of Delta's plan.

Councilman Rosenberger indicated Stephen Biddle could speak at this time. Mr. Biddle believes the project will have an impact on the historic district and on the Free Press Building, which is on the National Register. Mr. Biddle explained the Environmental Rights Amendment of the State Constitution states citizens of the Commonwealth are entitled to the appreciation of clean air, clean water and esthetics of a natural and manmade environment. Mr. Biddle stated the openness, space and view is constitutionally part of the value which was granted to the Free Press building.

Mr. Biddle also mentioned consumer parking will be affected by the level of visibility, accessibility, the ability to turn in and out easily, and the ability to avoid backing into traffic. Consumers will have to parallel park several blocks away and have to drive around the block if they do not see an accessible space.

Councilman Rosenberger indicated Ralph Moyer, III could speak at this time. Mr. Moyer feels the downtown merchants should have been involved and asked their input prior to Council making decisions. Mr. Moyer stated the triangle parking lot is a big incentive to own a business on the 300 block of Broad Street and to get rid of the parking lot is a bit scary.

Councilman Rosenberger indicated Doug Mohr could speak at this time. Mr. Mohr mentioned he has owned Lion Around Books for 14 years and that the triangle parking lot is very important to his business. He stated he would have never opened his store if that parking lot had not been there because he has book deliveries and needs parking for the unloading of many boxes. Mr. Mohr feels the loss of the lot will deplete him from acquiring stock. Mr. Mohr explained during this past winter, he was closed for three days because of snow on the streets and the only parking available was in the triangle parking lot. He agreed with Mr. Soost that there will be a period of time when the downtown will be disrupted due to construction and that his business also suffered greatly years ago with the sewer replacement project.

Councilman Rosenberger stated he would prefer to wait until after next week's developer and merchant meetings to get more feedback before he makes a decision and asked to table this discussion to another meeting.

Councilman Scholl stated because of deadlines the decision could not wait until the next regular Council Meeting on May 7th.

President Roberts set the continuation of this Council meeting to April 21, 2014 and cancelled the April 28, 2014 Work Session, setting it also on April 21, 2014 starting immediately after the Council Meeting.

President Roberts made a motion that the Borough Manager be directed to forward the document entitled Economic Development Agreement to the attorney of the Quakertown General Authority. Motion was seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 24-14, disposition of police records, be adopted:

RESOLUTION NO. 24-14

WHEREAS, evidence/property have accumulated in the Police Department evidence storage facility from police cases of 2011 and 2012 cases; and

WHEREAS, Quakertown Police Department policy dictates that these cases meet the guidelines for destruction.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown, Pennsylvania directs that the entire 2011 and the itemized 2012 police cases listed in the evidence storage facility be purged.

Motion of Councilman Johnson, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 25-14, co-sponsor Forum on Aging with Phoebe Richland Health Care Center, be adopted:

RESOLUTION NO. 25-14

WHEREAS, a request was received regarding the posting of the Upper Bucks Forum on Aging to be held May 7, 2014 at Benner Hall in Richlandtown, Pennsylvania; on the Borough website and bulletin boards; and

WHEREAS, the Borough Council supports the concept of the event and encourages the Borough's residents to participate and make an effort to attend.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants the request for the posting of the Upper Bucks Forum on Aging event on the Borough website and bulletin boards.

Motion of Councilman Johnson, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 27-14, Bucks County Department of Health mosquito control program, be adopted:

RESOLUTION NO. 27-14

WHEREAS, the Borough Council of the Borough of Quakertown is desirous of helping to reduce the spread of the West Nile Virus.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants permission to the Bucks County Department of Health to treat Borough properties for mosquito control.

Motion of Councilman Johnson, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 32-14, Special Event requests pertaining to Borough streets, be adopted:

RESOLUTION NO. 32-14

WHEREAS, applications have been received from various organizations by the Borough, requesting Borough Council permission to hold numerous events pertaining to Borough streets throughout the year.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the requests of the listed events for the year 2014 which pertain to the streets of the Borough of Quakertown, provided each organization adds the Borough as an additional insured on their insurance.

<i>Date</i>	<i>Begin</i>	<i>End</i>	<i>Requestor</i>	<i>Event Name</i>	<i>Street Closings</i>	<i>Rain Date</i>
Wednesday, May 07, 2014	7:00 PM	8:00 PM	YMCA	Cinco DeMayo 5K	Hellertown Ave. btwn btwn Fairview & Broad Fairview Ave. btwn YMCA & Hellertown Franklin St btwn Hellertown & Broad The remainder of the course is delineated by cones & volunteers	
Saturday, May 17, 2014	12:00 AM		Quakertown Alive	Arts Alive!	Broad Street btwn 4th & Hellertown 3rd Street btwn Broad & Branch Front btwn Broad & Juniper	5/18/2014
Saturday, June 07, 2014	9:00 AM	11:00 AM	Quakertown School District	Education Foundation 5K	9th Street btwn Freshman Ctr Drive & Main St Main Street btwn 9th & Sports Fields (1 lane) Park Ave. btwn 5th & 9th (1 lane)	

<i>Sunday, June 22, 2014</i>	<i>10:00 AM</i>	<i>4:00 PM</i>	<i>Quakertown Alive</i>	<i>Garden Affairs</i>	<i>No Street Closings Use of Burgess Foulke House</i>	
<i>Tuesday, August 05, 2014</i>	<i>6:00 PM</i>	<i>8:00 PM</i>	<i>Quakertown Borough</i>	<i>National Night Out</i>	<i>12th Street btwn Broad & Juniper 8th Street btwn Juniper & Park 2nd Street btwn Juniper & Park Mill Street btwn Brookfield & 9th Naylor Court (Entire Street) Independence Court (Entire Street) Erie Avenue btwn Penrose & Elm Front Street between Front & Juniper</i>	<i>8/9/2014</i>
<i>Saturday, August 16, 2014</i>	<i>12:00 PM</i>	<i>5:00 PM</i>	<i>Quakertown Alive</i>	<i>Brew Fest</i>		
<i>Saturday, September 13, 2014</i>	<i>3:00 PM</i>	<i>9:00 PM</i>	<i>Quakertown Borough</i>	<i>Bike Night</i>	<i>Mill Street btwn 4th & 9th</i>	
<i>Saturday, October 11, 2014</i>	<i>9:00 AM</i>	<i>1:00 PM</i>	<i>Crossroads Pregnancy Care</i>	<i>Walk for Life</i>	<i>No Road Closings Begin & End at Pavilions Broad Street btwn 4th & Hellertown 3rd Street btwn Broad & Branch Front btwn Broad & Juniper</i>	
<i>Saturday, October 18, 2014</i>	<i>7:00 AM</i>	<i>6:00 PM</i>	<i>Quakertown Alive</i>	<i>Autumn Alive</i>		<i>10/25/2014</i>
<i>Friday, December 05, 2014</i>	<i>5:30 PM</i>	<i>8:00 PM</i>	<i>Quakertown Alive</i>	<i>Christmas Tree Lighting</i>	<i>Broad Street btwn 4th & 3rd Branch Street btwn 4th & 3rd 3rd Street btwn Broad & Branch</i>	

Motion of Councilman Johnson, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

PUBLIC UTILITIES COMMITTEE

Councilman Erwin stated that there are not any items for action under the Public Utilities Committee.

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 30-14, award bid for lawn care and vegetation control, be adopted:

RESOLUTION NO. 30-14 ACCEPT BID AND AWARD CONTRACT

RESOLVED, by the Council of the Borough of Quakertown, That, the following bid be accepted and contract awarded to:

DeAngelo Brothers, Inc. of Hazleton, Pennsylvania for:
Lawn Care & Vegetation Control @ \$24,580.00 with the option of \$2,761.00 for soil testing and lime application for year 2014.

Years 2015 & 2016 @ \$24,580.00 for lawn care and vegetation control (without the option).

The contract is awarded in accordance with bids opened February 12, 2014. The Borough Manager is hereby authorized to execute the said contracts on behalf of the Borough of Quakertown.

Motion of Councilman Propst, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried.

Councilman Propst mentioned the Borough is starting to fix the pot holes now that the black top plant reopened.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 26-14, request of the High School baseball team to use Memorial Stadium, be adopted:

RESOLUTION NO. 26-14

WHEREAS, a request was received from the Quakertown School District seeking the use of Memorial Stadium for their Varsity baseball games for the 2014 season as the High School construction has impeded the use of their fields.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown grants the request of the Quakertown School District to use Memorial Stadium for their 2014 Varsity Baseball games.

Motion of Councilman Williams, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 33-14, Special Event requests pertaining to the Memorial Park area, be adopted:

RESOLUTION NO. 33-14

WHEREAS, applications have been received from various organizations by the Borough, requesting Borough Council permission to hold numerous events within and around Memorial Park throughout the year.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the requests of the listed events for the year 2014 which pertain to the Memorial Park area, provided each organization adds the Borough as an additional insured on their insurance.

<i>Date</i>	<i>Begin</i>	<i>End</i>	<i>Requestor</i>	<i>Event Name</i>	<i>Additional Information</i>	<i>Rain Date</i>
Saturday, April 05, 2014	9:00 AM	11:00 AM	Borough of Quakertown	Easter Egg Hunt		4/6/2014
Friday, April 25, 2014	6:00 PM	7:30 PM	St. Isidore's School	5k - 1 mile Run	Through the Park - crossing at 4th & Mill Temporary closing of 4th St from Erie to Mill	
Saturday, May 03, 2014 to Sunday, May 04, 2014	9:00 AM	9:00 AM	Upper Bucks Relay for Life	Relay for Life	Use Memorial Park and Pavilions Use of the Band Shell Use of Pool & Park Parking lots	
Saturday, May 10, 2014	9:00 AM	11:00 AM	Borough of Quakertown	Police Bike Rodeo	Pool Parking lot	5/17/2014
Saturday, May 10, 2014	8:00 AM	12:00 PM	Borough of Quakertown	Community Yard Sale	Skating Parking Lot	
Saturday, June 07, 2014	7:00 AM	8:00 PM			Needs approval of QSA & QMFA Every Sunday from 7/6/ to 8/10/14	
Sunday, July 06, 2014	6:30 PM	8:30 PM	Borough of Quakertown	Concerts in the Park		Mondays
Sunday, August 10, 2014						
Friday, July 04, 2014	8:00 AM	11:00 PM	Borough of Quakertown Community Day Committee	Community Day	Pancake Breakfast, All day festivities, Fireworks 1 mile & 5k through the park ending with a dip in the pool.	7/5/2014
Saturday, July 19, 2014	7:00 AM	11:00 AM	Pride of Quakertown	Dip & Dash 5K run and dip in the pool		
Friday, August 22, 2014	8:00 PM	10:30 PM	Borough of Quakertown	Movie in the Park		
Saturday, September 06, 2014	8:00 AM	12:00 PM	Borough of Quakertown	Community Yard Sale	Skating Parking Lot Memorial Park - Unknown exact location	
Fri. & Sat., Oct. 24 & 25, 2014	6:00 PM	10:00 PM	Borough of Quakertown	Haunted Hayride		
Wednesday, October 29, 2014	TBA	TBA	Borough of Quakertown	Mini Monster Halloween Party	Skating Shelter	

Motion of Councilman Williams, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 37-14, request for Men's Slow Pitch League to use baseball field, be adopted:

RESOLUTION NO. 37-14

WHEREAS, a request was received from the Quakertown Men's Slow Pitch League requesting use of the Memorial Park (Tennis Court) baseball field for a slow pitch league.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Men's Slow Pitch League to use the baseball field in Memorial Park (Tennis Court) two games per night, Monday through Thursday starting in mid-May through August 2014, with games starting at 6:15 pm and the second game starting immediately upon conclusion of the first game, provided each team adds the Borough as an additional insured on their insurance.

Councilman Williams mentioned this is a new request. Brian Povenski who is affiliated with the league stated it is a men's slow pitch league which lost their field elsewhere. Mr. Povenski mentioned they would put up a temporary fence which can be taken down easily. Mr. Povenski had questions pertaining to trash, signage and storage at the field. Councilman Williams told Mr. Povenski to get in touch with Manager McElree to work out those issues. Councilman Erwin pointed out RASA uses that field also for tournaments and suggested Mr. Povenski coordinate their schedules.

Motion of Councilman Williams, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

President Roberts declared the meeting adjourned to April 21, 2014 at 7:30 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President

Attest:

Scott C. McElree
Borough Manager