

June 4, 2014

A regular meeting of the Borough Council was held on June 4, 2014, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Councilmembers David Erwin, Lisa Gaier, Michael Johnson, Douglas Propst, 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 May 7, 2014 be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

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

May 2, 2014	\$103,600.79
May 9, 2014	\$ 90,751.90
May 16, 2014	\$734,158.46
May 23, 2014	\$ 13,385.06
May 29, 2014	\$280,995.50

Motion of Councilman Rosenberger, seconded by Councilman Johnson. President Roberts stated that he will abstain from voting as purchases were 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 Erwin. A roll call vote was taken and the motion was unanimously carried.

Visitors:

Scott Soost, 322 W. Broad Street, Quakertown indicated he has questions regarding the Gateway project.

Ralph Moyer, III, 316 W. Broad Street, Quakertown indicated he has questions regarding the capital assistance for the Gateway project.

Stephen Biddle, 130 S. Main Street, Quakertown has questions on plantings and regrading regarding the sewer replacement project.

### **PLANNING & ZONING COMMITTEE**

Councilman Propst stated that there are not any items for action under the Planning & Zoning Committee.

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 63-14, Lynn Kraft's proposal for planter maintenance, be adopted:

## RESOLUTION 63-14

WHEREAS, the Borough of Quakertown has received a quotation from Lynn C. Kraft of Center Valley, Pennsylvania in the amount of \$9,567.50 for downtown and Chamber of Commerce planter maintenance to include watering and fertilizing 136 concrete containers

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Quakertown to accept the quotation dated May 1, 2014, in the amount of \$9,567.50 by Lynn C. Kraft for maintenance of 136 concrete planters. The Borough Manager is hereby authorized to execute the necessary documentation.

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 65-14, designating Quakertown Alive! as a representative for the Keystone Main Street Community, be adopted;

## RESOLUTION 65-14

WHEREAS the Quakertown Alive! Main Streets Program was formed in 1999; and

WHEREAS the Quakertown Alive! Program works with businesses, property owners, local government, local and regional businesses, and economic development organizations and members of the community to promote investment in and the revitalization of downtown Quakertown; and

WHEREAS the Quakertown Alive! Program is seeking the designation as a Keystone Main Street Community; and

WHEREAS the designation as a Keystone Main Street Community will enable Quakertown Alive access to DCED funds for Façade grants, make improved properties in the Main St. District eligible for the Enterprise Zone Tax Credit Program, give priority to grant and loan applications made to DCED for Keystone Communities Development Project within the Main St. District, and make Quakertown Alive eligible for technical assistance and training; and

WHEREAS a requirement of the Keystone Main Street Community designation is a commitment of municipal support; and

WHEREAS the Borough of Quakertown has provided grant funding to the Quakertown Main Street Program through annual contributions to the Quakertown Alive in varying amounts since its inception and supports a five year strategy with its commitment to economic development and downtown revitalization,

NOW, THEREFORE, BE IT RESOLVED, That:

1. The Council of the Borough of Quakertown recognizes the importance and benefits of continuing the Quakertown Main Street Program and intends to continue support through 2014 and designates Quakertown Alive as a representative for the Keystone Main Street Community designation.

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

RESOLVED, That, the following Resolution 70-14, DCED Main Street Streetscapes Grant, be adopted:

#### RESOLUTION NO. 70-14

WHEREAS, the Borough of Quakertown is desirous of obtaining funds from the Pennsylvania Department of Community and Economic Development in the amount of \$249,245 for the Quakertown Alive! Streetscape Program.

NOW, BE IT RESOLVED by the Borough Council of the Borough of Quakertown to file this resolution with the Pennsylvania Department of Community and Economic Development to apply for a total funding of \$249,245; and

BE IT FURTHER RESOLVED that the Borough of Quakertown and Quakertown Alive! will assume the provision of the full, local share of project costs, and they will reimburse the Commonwealth of Pennsylvania for the State's share of any expenditures found by the Department to be ineligible.

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

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

Mr. Soost pointed out on the original business plan submitted by Mr. Halliday for the RCAP award it estimated the full time employees to be 122, while the last few months Mr. Halliday has been stating there will be 60 employees. When comparing the original plan to what is being currently proposed, they seem to be the same. Mr. Soost would like to know why the count went from 122 to 60 employees. Mr. Soost is concerned that the real number is closer to 122 and if so, how would that affect the parking.

Manager McElree answered the difference may be depending on what the actual use of the first floor retail space would be and that the more realistic jobs being created is between 60 and 70. He stated the building concept has not been formally provided to the borough. Manager McElree suggested to get the most accurate answer Mr. Soost should contact Mr. Halliday.

Mr. Soost mentioned he sent a freedom of information request to the Office of the Budget, the entity which manages the RCAP awards, and he received a letter back saying they have no award information for the Gateway project. He since sent a letter to the Governor's office requesting all the documents related to the Gateway project and he was told they have no documents at the Governor's office.

Manager McElree replied that he would supply Mr. Soost with a copy of the award letter which the Borough had received from the State.

Mr. Soost stated he questions some of the logic that the Delta Group has put forth as reasons behind the project. Mr. Soost still cannot understand why moving the traffic both east and west in front of the architectural building and the businesses is an improvement.

Delta Group's reasoning was because the architectural quality of the buildings was diminished by the oppressive presence of the one way traffic. Mr. Soost commented making the traffic two ways in front of the building would not make it better.

Mr. Soost stated Delta Group's second reason was that people should be able to shop or stroll along Broad Street without the overwhelming intrusion of vehicles. Mr. Soost asked how moving the traffic two ways would make it more possible for people to stroll along Broad Street without the overwhelming intrusion of vehicles.

Manager McElree replied that Theresa Sparaceno from the Delta Group put the information together and he would have her contact Mr. Soost if he desired.

Mr. Soost answered that he questions Ms. Sparaceno's logic from reading past information supplied, as an example the article on Why to Make Two Way Streets. He questions the wisdom behind the decisions and hopes the people making the decisions to go forward with this project are questioning Delta's logic also.

Mr. Soost is also questioning the plans for reconfiguring the parking which would make it more difficult for customers to find. Councilman Williams answered there will be directional signage installed to show parking areas.

RESOLVED, That, the following Resolution 69-14, continue filing of the Redevelopment Assistance Capital Program (RACP), be adopted:

#### RESOLUTION NO. 69-14

WHEREAS, the Borough Council of the Borough of Quakertown authorizes the continued filing of the Redevelopment Assistance Capital Program (hereinafter referred to RACP) application for the development of the property referred to as the Gateway Project, and;

WHEREAS, the Borough Council of the Borough of Quakertown understands that the RACP funding for the Gateway Project has been preliminarily approved by Governor Corbett for \$2,000,000 and;

WHEREAS, the Gateway Project aligns with the Borough's revitalization plan by developing a borough owned property in the downtown section of the borough to construct a three story building to include a mixed use of retail and office use.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with the RACP application and provide the necessary information to facilitate the \$2,000,000 Gateway Project funding.

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

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

Mr. Moyer agreed with Mr. Soost that the triangle development is not a good plan and the traffic pattern needs some work and wanted to point out they are not the only two businesses who feel that way. Mr. Moyer stated when he comes to Council meetings he is told half of the

businesses are for the downtown changes and half of the businesses are against the changes.

Mr. Moyer walked around to some of the businesses to do a two part survey. The first question on the survey is how the business feels about the traffic pattern change on Broad Street. He stated (3) businesses are for it, (36) against it & (7) are not sure. The second question was how the businesses felt about new construction on the existing parking lot. Mr. Moyer stated (3) businesses are for it, (39) against it & (3) are not sure. Mr. Moyer mentioned he still has approximately 30 more businesses to ask their opinions.

Mr. Moyer offered to walk with any of the Council people to go speak with the business owners because they are eager to speak to Council.

Councilwoman Gaier questioned Mr. Moyer if he did the survey in person and if they had to answer the questions while he was present with the owners. Mr. Moyer replied that he asked the survey in person and told the businesses they did not have to answer it if they did not care.

Mr. Moyer wants Council to know that it is not just himself and Mr. Soost against the changes. There are many businesses and customers who are not in favor of the development.

Councilman Rosenberger mentioned he looks at survies with skepticism because every question can be answered one way or another based on the way it is presented such as a person who comes in front of them who might already have a preconceived slant on the topic.

Councilman Rosenberger questioned Mr. Moyer if he asked the business owners if they were happy with their business as it stands now. Mr. Moyer replied that he did not ask them that question and feels Council should have went and got the business owner's opinions months ago.

RESOLVED, That, the following Resolution 71-14, issuance of an Opinion of Council for Redevelopment Assistance Capital Program (RACP), be adopted:

#### RESOLUTION NO. 71-14

WHEREAS, the Borough Council of the Borough of Quakertown authorizes the Borough Solicitor to prepare and issue an Opinion of Council as required for the Redevelopment Assistance Capital Program (hereinafter referred to RACP) application process for the development of the property referred to as the Gateway Project, and;

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Solicitor to submit an Opinion of Council to RACP office as prescribed by the RCAP application process.

Motion of Councilman Rosenberger, seconded by Councilman Propst. Councilman Rosenberger questioned since it is an Opinion of Council, Council will be able to read it before it is issued. President Roberts answered yes, Council will review the Opinion of Council before its submittal.

A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 72-14, appointing Councilperson to fill remaining Quakertown Area Industrial & Commercial Development term, be adopted:

RESOLUTION NO. 72-14

Whereas, the Council of the Borough of Quakertown wishes to fill the remaining term of Edward Scholl's position as a member of the Quakertown Area Industrial & Commercial Development Authority.

NOW, THEREFORE, IT IS RESOLVED, That Borough Council hereby appoints Lisa J. Gaier to fill Edward Scholl's remaining term on the Quakertown Area Industrial & Commercial Development Authority for the period of May 2014 through December 31, 2015.

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

Councilman Rosenberger mentioned the next two items were not on the Work Session agenda because they just occurred this week. A resignation letter was received from Donald Knechel, the Borough Tax Collector.

Councilman Rosenberger read Mr. Knechel's resignation letter and stated the Borough is sorry to hear he is experiencing some health issues.

RESOLVED, That, the following Resolution 73-14, accepting the resignation of Donald Knechel, Borough Tax Collector, be adopted:

RESOLUTION NO. 73-14

WHEREAS, a letter of intent to resign was received from Donald Knechel, Quakertown Borough Tax Collector.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown sorrowfully accepts the resignation of Donald Knechel, effective June 2, 2014.

Councilman Rosenberger, seconded by Councilman Johnson. President Roberts explained the Borough received the resignation the same day it took effect, so there was not a Tax Collector in the borough. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 74-14, appointment of Borough Tax Collector position, be adopted:

RESOLUTION NO. 74-14

Whereas, the Council of the Borough of Quakertown wishes to fill the remaining term of Donald Knechel's position as Quakertown Borough Tax Collector.

NOW, THEREFORE, IT IS RESOLVED, That the Council of the Borough of Quakertown hereby appoints Donna Roberts, 342 S. Ninth Street, to fill Quakertown Borough Tax Collector, Donald Knechel's remaining unexpired term.

Motion of Councilman Rosenberger, seconded by Councilwoman Gaier. President Roberts pointed out that Donna Roberts is his wife and he will abstain from voting. A roll call vote was taken and the motion was carried. Councilman Williams voted no. President Roberts abstained.

### **HEALTH, SAFETY & WELFARE COMMITTEE**

Councilman Johnson stated that there are not any items for action under the Health, Safety & Welfare Committee.

Councilman Johnson mentioned this past weekend was a Wonder Warriors motorcycle run which included around 200-300 riders. Councilman Johnson received a note from the police departments involved thanking the Borough's police motorcycle for its service leading a portion of the way.

Councilman Johnson mentioned that Michael Cygan and Daniel Soliday won the Townie Award from the Pennsylvania Downtown Center for fixing the Flour Mill into Lofts on Front Street. This award is chosen from projects all throughout the state.

### **PUBLIC UTILITIES COMMITTEE**

RESOLVED, That, the following Resolution 64-14, Quakertown National Bank request for utility easement, be adopted:

#### **RESOLUTION 64-14**

WHEREAS, Quakertown National Bank is desirous to install a generator to provide emergency electricity; and

WHEREAS, Quakertown National Bank is requesting an easement be granted by Borough Council for the purpose of running conduit under Apple Street from QNB's parcel #35-008-206 to parcel #35-008-222.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants a ten foot utility easement to Quakertown National Bank for the purpose of installing a generator and authorizes the proper Borough officials to sign the Declaration of Utility Easement.

Manager McElree stated Quakertown National Bank may have a name change which may have to be corrected on the Easement Agreement and Resolution.

Motion of Councilman Erwin, seconded by Councilman Johnson. Councilman Erwin mentioned the few items of concern Council previously had have been addressed by the solicitor. A roll call vote was taken and the motion was unanimously carried.

Councilman Erwin mentioned he and Manager McElree attended a Pennsylvania Municipal Electric Association event in Harrisburg. Councilman Erwin stated he received rave reviews regarding the Borough's Electric Department from Lansdale Borough. The Quakertown Borough's Electric Department helped Lansdale Borough in an emergency situation by taking a piece of new equipment to Lansdale which saved them approximately two days of work.

Councilman Rosenberger asked what the time table is for the sewer replacement project. Councilman Erwin answered that the Borough is waiting for several signed easement agreements to be returned. He estimates the end of summer for work to begin.

Manager McElree stated the bid specification process and the awarding of the contractor's bid still needs to occur for the sewer project.

President Roberts indicated that Stephen Biddle could speak at this time.

Mr. Biddle asked what type of planting and grading will be provided when the sewer replacements are finished along the creeks and if the Borough has the ability to work with the Conservation District to get high quality plantings which are appropriate to restore the eroding creek beds.

Manager McElree commented that the easements in the sewer project will not be encroaching upon the creek bed areas and that planting and regrading in that area does not pertain to the project. Manager McElree stated the Borough has to wait for the reviews to see if regrading by the creeks would be applicable to the project and the Borough would certainly be involved if it were applicable since it is important to preserve the waterway. Manager McElree mentioned the waterways in Pennsylvania fall under the Department of Environmental Protection and it would really depend on DEP.

### **PUBLIC WORKS COMMITTEE**

RESOLVED, That the following Resolution 62-14, bid award to Bracalente Construction Company for road resurfacing, be adopted:

RESOLUTION NO. 62-14  
ACCEPTING BID AND AWARDING CONTRACT TO  
BRACALENTE CONSTRUCTION COMPANY, INC.

RESOLVED, by the Council of the Borough of Quakertown, That, the bid for the 2014 road resurfacing project be accepted and awarded to Bracalente Construction Company, Inc. of Northampton, Pennsylvania, in the amount of \$298,050.10 in accordance with the bids opened May 1, 2014. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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



## **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 66-14, request for Free Fall Event, be adopted:

### **RESOLUTION NO. 66-14**

WHEREAS, a request was received from the Quakertown Fellowship of Christian Athletes High School Club and the Quakertown Network of Churches to use Main Street Park field areas, basketball court, and the Skate Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Fellowship of Christian Athletes High School Club and the Quakertown Network of Churches to use Main Street Park field areas, basketball court and the Skate Park for a Free Fall event, which includes: a basketball tournament, skateboarding contest, recorded music and free food from 12:00 to 5:00 p.m. on Saturday, September 27, 2014 (rain date October 4, 2014) provided they add the Borough as an additional insured on the insurance.

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

RESOLVED, That, the following Resolution 67-14, name change of the Main Street Park Committee, be adopted:

### **RESOLUTION NO. 67-14**

WHEREAS, Resolution 39-11 was adopted on April 6, 2011 and established the Main Street Park Committee; and

WHEREAS, member David Kratz requests the official designation of the committee be changed to the Quakertown Action Park Committee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the Main Street Park Committee's official designation will be the Quakertown Action Park Committee.

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 68-14, update active members of the Quakertown Action Park Committee, be adopted:

RESOLUTION NO. 68-14

WHEREAS, Resolution 39-11 was adopted on April 6, 2011 and established the Main Street Park Committee; and

WHEREAS, the members appointed to the committee have changed and a request by David Kratz has been received by Borough Council to amend the committee members as follows:

Lauri Gilmore, David Kratz, Adam Leatherman, Ashley O'Neill,  
Douglas Propst, Jerome Roth, Jon Roth, Kristin Schmidt, Daniel Williams

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the committee members for the Main Street Park Committee, ratified as the Quakertown Action Park Committee, be revised.

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

President Roberts indicated that there will be an executive session following this meeting in regard to a matter involving the potential discipline of an employee.

President Roberts declared the meeting adjourned at 8:32 pm.

BOROUGH OF QUAKERTOWN

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L. James Roberts, Jr.  
President

Attest:

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Scott C. McElree  
Borough Manager