

A regular meeting of the Borough Council was held August 6, 2014, 7:35 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 and Daniel Williams, Junior Councilperson Joy Zheng, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Kris Barndt.

RESOLVED, That the Minutes of July 2, 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:

July 2, 2014 -	\$ 98,178.17
July 11, 2014 -	110,171.72
July 18, 2014 -	721,269.12
July 25, 2014 -	11,430.26
June 31, 2014 -	664,327.08
August 1, 2014 -	106,369.70

Motion of Councilman Rosenberger, seconded by Councilman Propst. 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 Mease of Mease Engineering, 516 W. Broad Street, Quakertown was present regarding the lot-line adjustment of 515 S. West End Boulevard.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 89-14, regarding the adoption of Borough Streets, be adopted:

RESOLUTION 89-14

WHEREAS, the Borough wishes to adopt all the listed Borough streets;

Alan Lane, Apple Street, Belmont Avenue, Berks Court, Braithwaite Lane, Braxton Court, Brookfield Circle, Cedar Crest Drive, Cemetery Road, Chestnut Street, Constitution Place, Court Alley, Devereaux Drive, Dewsbury Lane, Drexel Place, East Mill Street, Edgemont Avenue, Eighth Street, Eleventh Street, Elm Street, Elwood Court, Erie Avenue, Essex Court, Fairview Avenue, Fairway Court, Fifth Street, Forest Avenue, Fourteenth Street, Fourth Street, Fox Court, Franklin Street, Front Street, Glen Meadows, Glenwood Avenue, Heller Road, Hellertown Avenue, Hickory Drive, Highland Avenue, Independence Place, Juniper Street, Kenwood Circle, Lafayette Street, Lehigh Street, Live Oak Drive, Main Street, Maple Street, Milford Square, Mill Road, Mill Street, Moores Court, Muhlenberg Circle, Naylor Court, New Street, Ninth Street, North Ambler Street,

North Penrose Street, Park Avenue, Pennington Lane, Pickett Lane, Pin Oak Drive, Red Oak Drive, Richard Street, Roan Tree Drive, Rosemont Drive, Second Street, Seventh Street, Sixth Street, South Ambler Street, South Hellertown Avenue, Temple Place, Tenth Street, Third Street, Tierney Court, Trumbauersville Road, Twelfth Street, West Mill Street, Whittier Court, Winchester Drive.

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

RESOLVED, That, the following Resolution 98-14, regarding a lot-line adjustment for 515 S. West End Boulevard, be adopted:

RESOLUTION 98-14

WHEREAS, UIG Properties, LLC has filed a lot-line adjustment plan dated June 20, 2014 and last revised on July 14, 2014 for the property located at 515 S. West End Boulevard which includes parcels 35-6-17 and 35-6-17-2; and

WHEREAS, the Quakertown Planning Commission has reviewed and recommended approval of the plan dated July 14, 2014 with the following waivers:

1. A waiver from Section 306.K of the SALDO requiring finish grades to be shown for all parts of the subdivision.
2. A waiver from Section 504.5 requiring that property lines be substantially perpendicular or radial to the street line.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the plan dated July 14, 2014, as revised, including the above waivers, is approved. The plan must be recorded in Bucks County within ninety (90) days.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Ordinance 1204, pertaining to an early retirement incentive of the Pension Plan for Non-Uniformed employees, be adopted:

ORDINANCE 1204

AN ORDINANCE OF THE BOROUGH OF QUAKERTOWN, BUCKS COUNTY, PENNSYLVANIA, CREATING AN EARLY RETIREMENT INCENTIVE FOR ELIGIBLE MEMBERS OF THE PENSION PLAN FOR NON-UNIFORMED EMPLOYEES OF THE BOROUGH OF QUAKERTOWN.

WHEREAS, the Borough of Quakertown ("Borough") previously established the Pension Plan for Non-Uniformed Employees of the Borough of Quakertown ("Plan"); and

WHEREAS, the Borough wishes to allow employees who retired in June of 2012 and who were within five years of retirement to retire with a pension that is not reduced for early commencement of payments.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of Quakertown, Pennsylvania as follows:

Section 1. The following is added to the end of Paragraph 3. of §425 of the Plan:

Notwithstanding the above, if an employee retired in June of 2012 and was within five years of his Normal Retirement Date, the benefit payable at the early retirement date shall be the benefit described in subsection (1), unreduced by the number of years that early retirement precedes normal retirement.

Section 2. This Ordinance shall become effective five (5) days after enactment as Provided by law.

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 94-14, pertaining to amending the Donation Policy, be adopted:

RESOLUTION NO. 94-14

WHEREAS, the Borough Council of Quakertown adopted a Donation Policy on January 27, 2014 to maintain an orderly system for administration and control of various forms of donations; and

WHEREAS, Borough Council wishes to make several changes to the policy.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Quakertown that the Donation Policy be amended to read as follows:

- Procedures.
- 5 a. Audited financial statements, certified by a known and reputable public accounting firm found acceptable by the Borough of Quakertown. Such audited financial statements should be of the most recent fiscal year of the requesting organization and one year preceding.
 - b. An evaluation of the organization's internal control structure, prepared by a known and reputable public accounting firm found acceptable by the Borough of Quakertown.
 7. Once approved for a donation, the Borough retains the right at its discretion to request a recipient organization to provide Council with an Actual-to-Budget Comparison Report and a Balance Sheet under an agreed upon schedule.

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

RESOLVED, That, the following Resolution 92-14, pertaining to extending the term of the Quakertown Area Industrial & Commercial Development Authority, be adopted:

RESOLUTION 92-14

BEFORE THE BOROUGH COUNCIL OF THE BOROUGH OF QUAKERTOWN

A RESOLUTION AMENDING THE TERM OF EXISTENCE OF THE QUAKERTOWN AREA INDUSTRIAL AND COMMERCIAL AUTHORITY FOR AN ADDITIONAL PERIOD OF FIFTY (50) YEARS TO ENABLE THE CONTINUATION OF ITS MISSION AND TO ENABLE LONG-TERM FINANCING TO CARRY OUT ITS STATED GOALS.

WHEREAS, As memorialized by Resolution No. 28-80, Quakertown Borough Council of Quakertown, Bucks County, Pennsylvania organized an Authority under the Industrial and Commercial Development Authority Law Approved August 23, 1967, as amended and supplemented, known as the "Quakertown Area Industrial and Commercial Development Authority" to exist and operate for the public purpose alleviating unemployment, maintaining employment at a high level, and creating and developing business opportunities by the construction, improvement, rehabilitation, revitalization and financing of industrial, manufacturing and research and development in commercial enterprises; and

WHEREAS, said Resolution provided for a term of existence for fifty (50) years from September 3, 1980; and

WHEREAS, the Quakertown Area Industrial and Commercial Development Authority (hereinafter referred to as "QAICDA") was formed and has undertaken its charge over the past 33+ years; and

WHEREAS, the Borough Council of Quakertown recognizes that a continuation of the QAICDA in order to carry out its missions and acquire financing must, of necessity, be given additional life for another term to continue to effectively carry out its purpose;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Borough Council of the Borough of Quakertown does hereby authorize, approve, and require the continued existence and operation of the QAICDA for an additional term of fifty (50) years, through September 3, 2064, for the health, safety and welfare of the community, that meetings be held at the Borough Municipal Building, with minutes and yearly audited financial statements provided to the Borough Council, and

BE IT FURTHER ENACTED that the Borough Council, through its President, Secretary and Solicitor, are hereby empowered and directed to sign any such documents or authorize any such action to be taken in cooperation with the Administration of the QAICDA consistent with this Resolution to assure the continued operation of the QAICDA for an additional fifty (50) years.

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 95-14, pertaining to a partial disbursement from donation to Quakertown Alive!, be adopted:

RESOLUTION 95-14

WHEREAS, Quakertown Alive! has requested an annual donation from Quakertown Borough; and

WHEREAS, donations require compliance with the Borough's Donation Policy; and

WHEREAS, Quakertown Alive! is in the process of performing an audit as required in Procedures 5b of the Donation Policy.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown approves a partial donation of \$12,000, \$5,833 per month for July and August 2014 until such time the audit is completed.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 86-14, regarding Trinity Lutheran Church's request to hold a Peach Festival, be adopted:

RESOLUTION NO. 86-14

WHEREAS, a request was received from Trinity Evangelical Lutheran Church to close Erie Avenue for their Peach Festival.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Quakertown grants the request of Trinity Evangelical Lutheran Church to close Erie Avenue from Hellertown Avenue to the entrance of the church parking lot on August 13, 2014 from 5:00 p.m. to 10:00 p.m. for their Peach Festival provided they add the Borough as an additional insured on their insurance.

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 91-14, regarding amending the Rules and Regulations of the Civil Service Commission, be adopted:

RESOLUTION 91-14

WHEREAS, Borough Council has previously established Rules and Regulations of the Civil Service Commission of the Borough of Quakertown; and

WHEREAS Borough Council wishes to make several changes regarding the testing process and the promotional process.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the Rules and Regulations of the Quakertown Civil Service Commission be amended to read as follows:

Section 306. General Qualifications – Applicants for Sergeant, Lieutenant, and Captain. In addition to meeting the qualifications fixed for each applicant for a position in the Police Department, all applicants for the position of Detective, Sergeant, Lieutenant, and Captain, shall;

(a) Have been employed in full-time police service within the Quakertown Police Department as follows:

1. For Detective, four (4) years or more.
2. For Sergeant, four (4) years or more.

Section 503. Written Examination; Passing Grade. On the designated date, the Commission or its designated agent, shall administer a written examination to all eligible applicants, as certified by the Borough Manager. The written examination shall produce a numerical grade on a scale between zero (0) and one hundred (100). The eligible applicants with the top "ten" (10) scores (or more including ties) who have achieved a grade of "ninety" (90.0) or greater on the written examination, shall have passed the written examination, and shall be eligible to continue in the testing process. Applicants scoring less than "ninety" (90) percent shall be rejected.

Section 505. Oral Interview: Passing Grade. The Commission or its designated agent, shall conduct an oral interview with each eligible applicant who has passed the written examination. Applicants will be graded by the Commission on such qualities as alertness, appearance, personality, general bearing and articulating skills. The oral interview shall produce a numerical grade on a scale between zero (0) and one hundred (100) for each eligible candidate and all eligible candidates must receive a score of at least "ninety" (90) from the Commission in the oral interview to be able to continue in the selection process.

Section 604. Weighing of Examinations. The examination shall be graded on a scale of one hundred (100%) percent and shall be weighed as follows:

- (a) For the written portion of the examination, a total of forty (40) points, and
- (b) For the oral examination, a total of forty (40) points, and
- (c) For the evaluation of the service rating or performance records of the applicant, a total of twenty (20) points. The method of determining the service rating will be included in the position posting prior to the promotional process be initiated.

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

RESOLVED, That, the following Resolution 96-14, regarding de-certifying the existing Police Officer eligibility list, be adopted:

RESOLUTION 96-14

WHEREAS, the Council of the Borough of Quakertown wishes to de-certify the existing Police Officer eligibility list.

NOW, THEREFORE, BE IT RESOLVED, That the Council of the Borough of Quakertown authorizes the Borough Manager to convene the Civil Service Commission to de-certify the existing eligibility list.

Motion of Councilman Johnson, seconded by Councilwoman Gaier. A roll call vote was taken and the motion was carried with a 6 – 1 vote. (David Erwin – no)

RESOLVED, That, the following Resolution 97-14, pertaining to the Police Officer selection process, be adopted:

RESOLUTION 97-14

WHEREAS, the Council of the Borough of Quakertown is desirous to fill the vacancy of a Police Officer.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with testing and the selection process for the position of Police Officer.

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

President Roberts noted that National Night Out was a great success.

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 84-14, accepting bid and awarding contract for road materials, be adopted:

RESOLUTION 84-14 ACCEPTING BIDS AND AWARDING CONTRACT

Resolved, by the Council of the Borough of Quakertown, That, the following bids for road materials be accepted and contract be awarded to Naceville Materials of Sellersville, Pennsylvania;

<u>Bid Item</u>	<u>Pick-up</u>	<u>Delivered</u>
#10 screenings	\$ 5.00	\$ 8.68
# 8 washed, crushed stone	\$10.80	\$14.48
#57 washed crushed stone	\$ 8.00	\$11.68
2A modified	\$ 6.00	\$ 9.68
3-A modified	\$ 6.30	\$ 9.98
R-4 shot rock	\$10.00	\$14.43
2 B ¾ clean	\$8.00	\$11.68

The contract is awarded in accordance with the bids opened June 12, 2014. The term of the contract is July 1, 2014 to July 1, 2015. 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.

RESOLVED, That, the following Resolution 90-14, accepting bid and awarding contract for trash and recycling collections, be adopted:

RESOLUTION 90-14
ACCEPTING BID AND AWARDING CONTRACT
FOR TRASH & RECYCLING COLLECTION TO
ADVANCED DISPOSAL SERVICES

RESOLVED, by the Council of the Borough of Quakertown, That, the bid for trash and recycling collection of Advanced Disposal Services of Skippack, Pennsylvania for Option #2, a three-year contract, as per their bid opened July 24, 2014, is hereby accepted. The contract is awarded to Advanced Disposal Services. 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 Erwin. A roll call vote was taken and the motion was unanimously carried.

President Roberts mentioned that the cost for the pickup of trash and recyclables will be decreasing over the term of the contract.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 87-14, regarding Relay for Life's request to hold a Bark for Life event, be adopted:

RESOLUTION 87-14

WHEREAS, a request was received from the Relay for Life to use Memorial Park for a Bark for Life event where the participants are dogs and their owners.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Relay for Life to use Memorial Park for their Bark for Life event on October 4, 2014 from 9:00 a.m. to 3:00 p.m., and also to rent the bandshell, provided that Relay for Life adds the Borough as an additional insured on their 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 85-14, pertaining to a Moon Bounce Policy, be adopted:

RESOLUTION 85-14

WHEREAS, the Borough has prepared a Moon Bounce Policy established to provide guidelines pertaining to the training, use and set up of this recreational equipment.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown does hereby adopt the new Moon Bounce Policy dated June 17, 2014.

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

RESOLVED, That, the following Resolution 88-14, regarding the Quakertown Action Park Committee's request to hold a wiffle ball fundraiser, be adopted:

RESOLUTION 88-14

WHEREAS, a request was received from the Quakertown Action Park Committee to schedule a wiffle ball fundraiser.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Action Park Committee to schedule a wiffle ball fundraiser from 2:00 p.m. to 9:00 p.m. on August 16, 2014 provided the Borough is an additional insured on their 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 93-14, pertaining to the 145th District of the Democratic Organization's request to hold a picnic, be adopted:

RESOLUTION 93-14

WHEREAS, a request was received by the 145th District of the Democratic Organization to hold a picnic with a band and food for purchase at pavilion C in Memorial Park.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the 145th District of the Democratic Organization to hold a picnic at

pavilion C in Memorial Park on September 28, 2014 from 11:00 a.m. to 6:00 p.m. provided the Borough is an additional insured on their insurance.

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

President Roberts declared the meeting adjourned at 8:03 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Scott C. McElree
Borough Secretary