

A regular meeting of the Borough Council of Quakertown was held March 4, 2015, 7:28 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Council members David Erwin, Lisa Gaier, Michael Johnson, Jann Paulovitz, Douglas Propst, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Kris Barndt.

RESOLVED, That, the Minutes of February 4 continued to February 23, 2015 and the minutes of a special meeting of February 7, 2015 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:

February 6, 2015 -	\$ 18,496.23
February 13, 2015 -	173,355.74
February 20, 2015 -	875,353.55
February 25, 2015 -	300,799.15
February 27, 2015 -	150,498.02

Motion of Councilman Rosenberger, seconded by Councilman Johnson.

President Roberts stated that he will abstain from voting as several purchases were made from the 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 Erwin, seconded by Councilwoman Gaier. A roll call vote was taken and the motion was unanimously carried.

President Roberts declared a recess to allow a public hearing for SLJ Restaurant, LLC's request for an inter-municipal liquor license to be transferred to 315 W. Broad Street.

President Roberts called the public hearing. There were no public comments made.

Councilman Rosenberger asked when the liquor license would become effective. Richard Lefchak, Esquire from W. Conshohocken, PA for the applicant Sarah Jones, stated there are several steps to go through. They would proceed as soon as possible with the PLCB application after Council's approval is received.

Solicitor Charles Fonzone noted that the public hearing was advertised. Solicitor Fonzone asked Mrs. Jones if she would have ample parking. Mrs. Jones replied that the establishment is in the Quaker Village Shopping Center, at the location which was previously a bakery, and she has access to all of the parking spaces.

The full stenographer transcript of the hearing is on file in the Borough Manager's office.

President Roberts declared the public hearing closed.

RESOLVED, That, the following Resolution 43-15, request of SLJ Restaurant, LLC for an Inter-municipal liquor license, be adopted:

RESOLUTION 43-15

WHEREAS, a request was received from SLJ Restaurant, LLC. of 379 W. Broad Street for an inter-municipal liquor license to be used at the location of 315 W. Broad Street, Quakertown; and

WHEREAS, an advertised public hearing was held for the purpose of receiving comments and recommendations of interested individuals residing within the Borough of Quakertown.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants the request for approval of an inter-municipal liquor license to SLJ Restaurant, LLC.

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

Visitors for the regular meeting:

Steve Biddle, 130 S. Main Street indicated he wanted to speak in reference to the Rail Trail project.

President Roberts indicated that Mr. Biddle could speak at this time. Mr. Biddle mentioned that the Borough is receptive of the 300 mile multi-state trail that is proposed to extend into the Quakertown area from the Saucon Valley Rail Trail in Coopersburg which will then continue south to Perkasio. There will be an east-west segment which will start in the area of Lake Tohee and pass through Quakertown Borough to the Red Hill area. Northampton County Highlands Trail Planning Committee is requesting that Council endorse a resolution of support declaring sponsorship for the north-south trail project. Mr. Biddle requested an additional paragraph be added to Quakertown Borough's Resolution 42-15.

President Roberts stated that the paragraph would be added to Resolution 42-15.

Councilman Johnson asked if the trail would be on the abandoned train tracks. Mr. Biddle replied that the future trail would be several feet away from the train tracks with a safety fence divider.

RESOLVED, That, the following Resolution 42-15, endorsing the Quakertown Rail Trail Project, be adopted:

RESOLUTION 42-15

A RESOLUTION OF SUPPORT ENDORING THE QUAKERTOWN RAILTRAIL PROJECT

WHEREAS, officials of the Borough of Quakertown, Pennsylvania, consider bicycle and

pedestrian transportation to be of utmost importance to the region by providing the region with recreation and transportation opportunities, as well as, the possibilities of economic and community development; and

WHEREAS, East Penn Railroad, LLC currently leases trackage from the Southeastern Pennsylvania Transportation Authority (SEPTA), known as the "Quakertown line", operating from Quakertown, Pennsylvania to Pennsylvania Northeast Railroad in Telford, Pennsylvania; and

WHEREAS, the Saucon Rail Trail is an established 6.85 mile bicycle and pedestrian trail in the Borough of Hellertown, Lower Saucon Township, Upper Saucon Township, and the Borough of Coopersburg, Pennsylvania, built along an unused portion of a railroad corridor which continues into Springfield Township, Pennsylvania and Richland Township, Pennsylvania, becoming the "Quakertown line"; and,

WHEREAS, extending the Saucon Rail Trail into the Borough of Quakertown, Pennsylvania would provide new bicycle and pedestrian infrastructure to connect residents and visitors to nearby businesses, parks, schools, libraries, and other community assets; and,

WHEREAS, officials of the Borough of Quakertown conclude that the proposed Rail-Trail is consistent with, and complimentary to: the Quakertown Comprehensive Plan, Quakertown Open Space Plan and Quakertown Park and Recreation Policy/Plan; and,

WHEREAS, officials of the Borough of Quakertown wish to join their neighbors of the greater Quakertown Region to endorse said project; and,

WHEREAS, officials of the Borough of Quakertown, Pennsylvania feel that it is in the best interest of the citizens of that Borough, as well as, the greater Quakertown Region to endorse said project.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, Pennsylvania hereby endorses the Quakertown Rail-Trail Project and seeks to pursue the establishment of a bicycle and pedestrian trail along this corridor, while maintaining a rail corridor for both present and future uses.

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

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Ordinance 1209, updating the Flood Plain Ordinance, be adopted:

ORDINANCE NO. 1209

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE BOROUGH OF

QUAKERTOWN WHICH ARE SUBJECT TO FLOODING; AND
ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR
REFUSE TO COMPLY WITH, THE REQUIREMENTS OR
PROVISIONS OF THIS ORDINANCE.

Motion of Councilwoman Gaier, seconded by Councilman Erwin to waive the lengthy reading of Ordinance 1209. A roll call vote was taken and the motion was unanimously carried.

Motion of Councilwoman Gaier, seconded by Councilman Propst to pass Ordinance 1209. A roll call vote was taken and the motion was unanimously carried.

REVENUE & FINANCE COMMITTEE

RESOLVED, That the following Resolution 34-15, approving the proposal from Traffic Planning & Design, Inc. for Phase 1 traffic design, be adopted:

RESOLUTION 34-15

WHEREAS, an engineering proposal regarding the downtown traffic design for Phase 1 was received from Traffic Planning and Design, Inc. dated February 16, 2015 in the amount of \$4,920.00 with additional costs for copying, postage, etc. to total an estimate of \$5,500 to \$6,000.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown does hereby accept the proposal from Traffic Planning and Design, Inc. and hereby authorizes the Borough Manager to execute the said proposal on behalf of the Borough of Quakertown.

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

RESOLVED, That the following Resolution 40-15, updating the Borough's Marketing brochures, be adopted:

RESOLUTION 40-15

WHEREAS, in a vital effort to present current and detailed information to prospective developers and businesses during marketing efforts, a recommendation from Edward Scholl, Economic Development Consultant, has been received to update the information of the Borough's Marketing Brochures, and;

WHEREAS, a proposal dated February 9, 2015 from Sharon Marshall of Marketing Solutions in the amount of \$4,095.00 was received to facilitate the set up and acquisition of new data with an additional charge to be determined at a later date for the printing pending the number of printed materials required.

NOW, THEREFORE, BE IT RESOLVED, That the Council of the Borough of Quakertown accepts the recommendation to update the Borough's Marketing Brochures and authorizes the Borough Manager to execute the said proposal from Marketing Solutions in the amount of \$4,095.00 with an additional cost for printing 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 45-15, appointing Jann Paulovitz to fill Daniel Williams' term on the Quakertown Area Industrial Development Authority, be adopted:

RESOLUTION 45-15

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

NOW, THEREFORE, IT IS RESOLVED, That Borough Council hereby appoints Jann Paulovitz to fill Daniel Williams' remaining term on the Quakertown Area Industrial & Commercial Development Authority for the period of February 2015 through December 31, 2016.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 25-15, co-sponsoring with Phoebe Health Center for Forum on Aging, be adopted:

RESOLUTION 25-15

WHEREAS, a request was received regarding the posting of the Upper Bucks Forum on Aging to be held May 7, 2015 at First United Church of Christ, 4th Street, Quakertown; 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 Councilwoman Gaier. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 29-15, setting the date for National Night Out, be adopted:

RESOLUTION 29-15

WHEREAS, the Council of the Borough of Quakertown adopted Resolution 34-08, supporting and sponsoring the celebration of National Night Out; and

WHEREAS, street closures will be required for the celebration of National Night Out.

NOW, THEREFORE, BE IT RESOLVED, That, Council approves the following street closures for National Night Out to be held on Tuesday, August 4, 2015 (with a rain date to be Saturday, August 8, 2015) from 5:30 pm to 8:00 pm;

Twelfth Street between Juniper to Broad Street
Eighth Street between Juniper to Park Avenue
Erie Avenue between Penrose to Elm Street
Naylor Court
Independence Court
Mill Street between Ninth Street and Pickett Lane
Second Street between Juniper Street and Park Avenue

Motion of Councilman Johnson, seconded by Councilman Rosenberger.

Councilman Johnson mentioned that some of the streets listed to be closed may be changed at a later time.

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

RESOLVED, That, the following Resolution 39-15, disposition of Police Department evidence/property, be adopted:

RESOLUTION 39-15

WHEREAS, evidence/property have accumulated in the Police Department evidence storage facility collected from police operations from year 2012, and;

WHEREAS, the Quakertown Police Department will follow appropriate protocol by burning the drugs and drug paraphernalia listed on the attached inventory lists.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown Pennsylvania directs the Quakertown Police Department to appropriately dispose of the evidence/property attached.

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 44-15, establishing a Police Leave of Absence Policy, be adopted:

RESOLUTION 44-15

WHEREAS, the Borough has prepared a Police Leave of Absence Policy establishing guidelines permitting sworn police employees to qualify and be considered for inactive leave of absence upon receipt of their resignation (voluntary termination) from employment with the Police Department and permit the offer of returning to employment when a position becomes available with the Borough of Quakertown Police Department.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown does hereby adopt the Police Leave of Absence Policy.

Councilman Rosenberger questioned the pension implication of this policy. Manager McElree answered to be considered for this policy the officer whether having twelve years of service or not must leave his contributions in for the twelve month period and not take advantage of withdrawing any of it.

Councilman Rosenberger asked if an officer leaves and comes back does that year count as a break in service when calculating their pension. Manager McElree stated their pension credit stops for that year completely. If the officer starts employment again before the twelve month period they pick up their time from the day they left.

Councilman Rosenberger asked about the DROP Program. Manager McElree answered if the officer has ten years of service and separates employment for one year, he would be credited for his ten years and would have to complete an additional fifteen years to qualify for DROP. Manager McElree also added that there is no rank or seniority guarantee. Every three months until the year is up, the resigned officer must make a request in writing to be considered for this policy.

Councilwoman Gaier clarified that the policy is named a Police Leave of Absence Policy, but it is not necessarily a leave of absence in the true sense, as there is no entitlement to come back at any time during that year, it is strictly if the Borough has an opening on the Police Department and Council is interested in an officer to come back.

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 47-15, accepting Officer Baccari's request to be eligible for the Police Leave of Absence Policy, be adopted:

RESOLUTION 47-15

WHEREAS, the Council of the Borough of Quakertown has adopted a Police Leave of Absence Policy establishing guidelines permitting sworn police employees to qualify and be considered for inactive leave of absence upon receipt of their resignation (voluntary termination) from employment when a position becomes available with the Borough of Quakertown Police Department; and

WHEREAS, Officer Kristopher Baccari has requested that the terms of the Police Leave of Absence Policy be applied to his letter of resignation dated February 9, 2015.

NOW, THEREFORE, BE IT RESOLVED, That, Council approves Officer Baccari's request to be eligible for the terms of the Police Leave of Absence Policy.

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 41-15, establishing prohibition of truck signs on Heller Road, be adopted:

RESOLUTION 41-15

RESOLVED, That, the Council of the Borough of Quakertown directs the Borough Manager to move forward with developing the necessary Ordinance pertaining to the truck turning prohibition signs on Heller Road.

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

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 27-15, request by Crossroads Pregnancy Care to hold a Walk for Life, be adopted:

RESOLUTION 27-15

WHEREAS, Crossroads Pregnancy Care has applied for a public gathering permit to conduct a "Walk for Life" through Quakertown.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit request of Crossroads Pregnancy Care for their "Walk for Life" through Quakertown beginning and ending in Memorial Park on October 10, 2015, from 9:00 a.m. to 2:00 p.m. provided they add the Borough as an additional insured on the insurance.

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

RESOLVED, That, the following Resolution 28-15, Kristin King's request to host a Healthy Kids Running Series, be adopted:

RESOLUTION 28-15

WHEREAS, a request was received from Kristin King, 11 Essex Court, Quakertown, PA to use Memorial Park to host a Healthy Kids Running Series.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Kristin King to use Memorial Park in the grassy area by the volleyball court to host a Healthy Kids Running Series for five Sundays, April 12, April 19, April 26, May 3 and May 17, 2015 from 4:30 p.m. to 5:30 p.m. provided the Borough is added as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 26-15, Julie Williams' request to hold a Relay for Life, be adopted:

RESOLUTION 26-15

WHEREAS, a request was received from Julie Williams to hold the annual Relay for Life event in Memorial Park.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request to hold a Relay for Life in Memorial Park on May 30 & 31, 2015, from 9:00 a.m. to 9:00 a.m. and to rent the bandshell, provided that Relay for Life agrees to enter into the previously Council approved agreement relating to liability to the Borough of Quakertown.

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 30-15, Police Department's request to hold the annual Bike Safety Rodeo, be adopted:

RESOLUTION 30-15

RESOLVED, That, a request was received from the Police Department to hold the Borough's annual Bike Safety Rodeo on Saturday, May 9, 2015 at 9:00 a.m. to 11:00 a.m. in the Memorial Park Pool lot with the rain date to be May 16, 2015.

NOW, THEREFORE, BE IT RESOLVED That the Council of the Borough of Quakertown accepts the request to hold the Borough's Bike Safety Rodeo on May 9, 2015 starting at 9:00 a.m.

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

RESOLVED, That, the following Resolution 31-15, Michael Cygan's request to hold Amy's Ride/Walk Against Pancreatic Cancer, be adopted:

RESOLUTION 31-15

WHEREAS, a request was received from Michael Cygan of Quakertown, Pennsylvania to hold a bike ride and walk event called Amy's Ride/Walk Against Pancreatic Cancer to benefit pancreatic research and treatment.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Michael Cygan to hold Amy's Ride/Walk on Saturday, May 16, 2015 starting at 7:00 a.m. at the Moose parking lot provided he adds the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 32-15, setting Quakertown Clean-Up Day, be adopted:

RESOLUTION 32-15

WHEREAS, the Council of the Borough of Quakertown wishes to declare April 11, 2015 as Quakertown Clean-up Day; and

NOW, THEREFORE BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown declares April 11, 2015 as Quakertown Clean-up Day in which a group of volunteers will clean up Borough owned properties.

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

RESOLVED, That, the following Resolution 48-15, Upper Bucks Alliance for Creative Expression's (UBACE) request to use the skating shelter, be adopted:

RESOLUTION 48-15

WHEREAS, a request was received from UBACE (Upper Bucks Alliance for Creative Expression) to use the skating shelter on agreed dates and times so as not to conflict with other scheduled uses, and that UBACE will submit an event application and upon administrative review will be considered to use the skating shelter facility.

NOW, THEREFORE, BE IT RESOLVED That the Council of the Borough of Quakertown approves the request from UBACE to use the Borough of Quakertown's skating shelter provided that no scheduling conflicts exist and upon receipt of required insurance naming the borough as an additional insured.

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

Manager McElree announced that any Council member is invited to the Citizens Police Academy starting Tuesday, March 10th at 6:30 p.m.

President Roberts appointed a Sallyport Committee which includes Jann Paulovitz, Donald Rosenberger and Michael Johnson.

President Roberts declared the meeting adjourned at 8:37 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Scott C. McElree
Borough Secretary