

A regular meeting of the Borough Council of Quakertown was held May 4, 2016, 7:30 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, Douglas Propst, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Kris Barndt. Councilwoman Jann Paulovitz absent.

RESOLVED, That, the Minutes of April 6, 2016 be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried. Councilwoman Paulovitz absent.

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

April	1, 2016	-	\$ 11,957.16
April	8, 2016	-	161,453.01
April	15, 2016	-	51,960.69
April	21, 2016	-	651,793.01
April	28, 2016	-	327,924.36

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

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. Councilwoman Paulovitz absent.

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

RESOLVED, That, the following Resolution 57-16, recognition of Police Week, be adopted:

Police Week / Peace Officers' Memorial Day  
RESOLUTION 57-16

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police week; and

WHEREAS, the members of the law enforcement agency of the Borough of Quakertown play an essential role in safeguarding the rights and freedoms of Quakertown; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the Borough of Quakertown unceasingly provide a vital public service;

NOW, THEREFORE, the Borough Council of the Borough of Quakertown, call upon all citizens of Quakertown and upon all patriotic, civic and educational organizations to observe the week of May 15 - 21, 2016, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Quakertown shall observe Wednesday, May 18, 2016, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

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

Councilman Johnson noted that as of today's date there have been 33 law enforcement officers killed in the line of duty this year.

RESOLVED, That the following Resolution 64-16, recognition of K-9 Jynx' retirement, be adopted:

#### RESOLUTION 64-16

WHEREAS, K-9 Jynx was acquired in April of 2008 and assigned to the K-9 unit of the Quakertown Police Department; and

WHEREAS, K-9 Jynx was trained for patrol work, building searches, officer/handler protection, tracking and explosive detection and was supported through grant funding from the Department of Homeland Security; and

WHEREAS, K-9 Jynx was assigned to Detective Matthew Molchan and as a team they had a very successful career performing numerous explosive detection searches and assisting other law enforcement agencies for the detection of evidence; and

WHEREAS, K-9 Jynx has been in active duty with the Quakertown Police Department for eight years and has served the police department and community with distinction.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown recognize K-9 Jynx's service to the police department and the Quakertown community and approve K-9 Jynx's retirement from service and transfer K-9 Jynx's care and responsibility to Detective Matthew Molchan effective immediately.

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

Manager McElree mentioned that the two new K-9 dogs Jax and Fury have been in service for less than 2 months and they already have approximately nine K-9 events that have been very successful. Included in those nine were three K-9 demonstrations and there are six more demonstrations scheduled for the next several months.

Councilman Johnson stated there are some Police Department Commendations and Recognitions to be issued tonight.

Police Chief McElree presented the following with Commendations or Recognitions: Officers Wolfinger, Hawke, Lockwood, Houseknecht, Naugle, Stoneback, Lee, Sergeant Mallory, Detective Molchan and Officer Grill who was absent. Kevin Wright was presented a Citizen's Recognition Award. Attorney Kate Kohler, who was absent, received an Outstanding Recognition.

Councilman Johnson read a biography on retired K-9 Jynx and thanked him for his six years of service.

### **PLANNING & ZONING COMMITTEE**

RESOLVED, That, the following Resolution 63-16, approval to accept terms and pursue Septa Freight Station Lease, be adopted:

#### RESOLUTION 63-16

WHEREAS, a request was received from the Economic Development Committee for the Borough of Quakertown to enter into a Lease Agreement with SEPTA for the purposes of renting the Freight Station and sub-letting to a third party for a use approved by Borough Council; and

WHEREAS, Term Conditions of a proposed lease have been negotiated with SEPTA.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown accepts the negotiated Term Conditions for the Borough's rental of the Freight Station and grants approval for the Borough Manager to pursue a Lease Agreement between Quakertown Borough and SEPTA which will have final approval by Council.

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

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 61-16, extension of the Economic Development Consultant contract, be adopted:

#### RESOLUTION 61-16

WHEREAS, the Borough Council of Quakertown has resolved to promote the Borough of Quakertown as an ideal location for business growth, investment and job creation; and

WHEREAS, the Borough Council of Quakertown has budgeted funds to obtain the services of an Economic Development Consultant to aid with the revitalization and economic development and on May 7, 2014 approved a Consulting Agreement for two years with Edward Scholl and;

WHEREAS, the Borough Council of Quakertown wishes to extend the Consulting Agreement another two years with Edward Scholl.

NOW, THEREFORE, BE IT RESOLVED, That the Borough Council of Quakertown approves a two year extension to the Consulting Agreement between Edward Scholl, LLC. and the Borough of Quakertown at a cost of \$60,000.00 annually.

BE IT FURTHER RESOLVED, That, the Borough Council of Quakertown authorizes the Borough Manager to sign the agreement between the Borough and Edward Scholl, LLC.

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

RESOLVED, That, the following Resolution 60-16, an amendment to the Bucks County Transportation Company, Inc.'s Land Use Agreement, be adopted:

#### RESOLUTION 60-16

WHEREAS, the Council of the Borough of Quakertown on August 6, 2008 approved a Lease Agreement for Use of Land with the Bucks County Transportation Company to lease the Borough property located at 26 North Fourth Street for the purpose of housing an office trailer and parking their vehicles for a fee of \$100 per month; and

WHEREAS, the Borough of Quakertown would like to amend the Lease Agreement to a monthly fee of \$500 per month.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown does hereby authorize the increase of Bucks County Transportation Company's monthly fee to \$500 per month and authorizes the Borough Manager to execute the said lease 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. Councilwoman Paulovitz absent.

RESOLVED, That, the following Resolution 65-16, Pennsylvania Emergency Management Agency (PEMA) winter storm reimbursement, be adopted:

#### RESOLUTION 65-16

WHEREAS, the Council of the Borough of Quakertown on February 3, 2016, pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, (35 PA C.S. Section 7501), as amended, proclaimed the existence of a disaster emergency in the Borough of Quakertown caused by a snow storm which caused or threatened to cause injury,

damage and suffering to the persons and property of the Borough of Quakertown.

NOW, THEREFORE BE IT RESOLVED, the Council of the Borough of Quakertown designates the Borough Manager to execute for and in behalf of Quakertown Borough all required forms and documents for the purpose of obtaining financial reimbursement.

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

RESOLVED, That, the following Resolution 58-16, accept bid and award contract to J. P. Smith Contractors, Inc. for painting of three Sewer Plant tanks, be adopted:

RESOLUTION 58-16  
ACCEPT BID AND AWARD CONTRACT

RESOLVED, by the Council of the Borough of Quakertown, That, the following bid be accepted and contract awarded to J. P. Smith Contractors, Inc. of Glenside, Pennsylvania for blasting and painting of the interior submerged steel in three 750,000 gallon equalization tanks at the sewer plant in the amount of \$86,790.00.

The contract is awarded in accordance with bids solicited through PennBid and opened on April 14, 2016. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

**PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 62-16, recognizing National Public Works Week, be adopted:

National Public Works Week  
RESOLUTION 62-16

WHEREAS, Since 1960, American Public Works Association (APWA) has sponsored National Public Works Week. Across the nation, more than 29,000 APWA members use this week to energize and educate the public on the importance of the contribution of public works

to their daily lives: planning, building, managing and operating the heart of our local communities and building the quality of life; and

WHEREAS, APWA has selected "Public Works Always There" as its theme for 2016's National Public Works Week. The theme showcases the pervasiveness of Public Works. Communities depend on Public Works, and the men and women of the profession are always there and always ready; and

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operations of public works systems and programs such as water, sewer, electric and roads; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works employees; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff our public works departments is significantly influenced by the residents' understanding of the importance of the work they perform,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council to proclaim the week of May 15 -21, 2016 "National Public Works Week" in the Borough of Quakertown, Pennsylvania. Council calls upon businesses, organizations and citizens to acquaint themselves with the issues involved in providing our public works services and to recognize the outstanding contributions which our public works employees make every day to ensure the health, safety, comfort, and quality of life in the Borough of Quakertown.

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

### **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 55-16, Bible Baptist Church's request for use of the amphitheater, be adopted:

#### **RESOLUTION 55-16**

WHEREAS, the Bible Baptist Church has applied for a public gathering permit to hold a Patriotic Concert on July 1, 2016 from 7:00 pm to 8:30 pm and has requested to hold the event at the 4<sup>th</sup> Street Park amphitheater.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering request to the Bible Baptist Church and also the use of the amphitheater for their concert event on July 1, 2016 provided that they add 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 56-16, Moon Dog Yoga's request for use of the amphitheater, be adopted:

#### **RESOLUTION 56-16**

WHEREAS, a request was received by Moon Dog Yoga to use the 4<sup>th</sup> Street Park amphitheater for evening yoga classes on June 20, July 20 and August 17, 2016 from 7:30 to 8:45 p.m.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Moon Dog Yoga to use the amphitheater for classes on June 20, July 20 and August 17, 2016 provided that they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 59-16, Quakertown High School's request to use Memorial Stadium for their baseball team, be adopted:

RESOLUTION 59-16

WHEREAS, Council of the Borough of Quakertown on December 3, 2014, granted the Quakertown School District's request for use of Memorial Stadium for their 2015 Varsity baseball season; and

WHEREAS, another request was received from the Quakertown School District seeking the use of Memorial Stadium for their Varsity baseball games for the next five seasons (2017-2021), with an annual fee of \$1,000.

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 Varsity Baseball games for the next five seasons with an annual fee of \$1,000. The Borough Manager is hereby authorized to execute the License Agreement for Use of Stadium Agreement with the Quakertown School District.

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

President Roberts declared the meeting adjourned at 8:23 p.m.

BOROUGH OF QUAKERTOWN

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L. James Roberts, Jr.  
President of Council

Attest:

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Scott C. McElree  
Borough Secretary