

February 1, 2006

A regular meeting of the Borough Council was held February 1, 2006, 7:30 p.m.

The following members and officers were present: President Dennis A. Hallman, Councilmembers Donald Rosenberger, Elfriede Werner, Daniel Williams, David Wilsey, David Zaiser, Solicitor Charles Fonzone, Manager David L. Woglom and Asst. Borough Secretary Phyllis R. Ewing.

RESOLVED, That, the Minutes of January 3, 7 and 23, 2006, be approved as written. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the financial reports be approved and vouchers drawn in payment of the bills listed thereon be ratified. Motion of Councilwoman Werner, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

CHECKS #

51698 — 52001	\$1,990,335.00
52002 — 52174	\$1,598,940.79

RESOLVED, That, the Treasurer's Report for December 31, 2005 and January 31, 2006 be received and spread on the minutes. Motion of Councilman Rosenberger, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Treasurer's Report December 31, 2005

Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$ 227,056.17	\$ 4,825.88	\$ 785,000.00	\$1,016,882.05
Water	295,490.46	4,457.13	250,000.00	549,947.59
Sewer	289,494.52	3,943.51	250,000.00	543,438.03
General	72,376.33	2,017.25		74,393.58
Payroll	200.00			200.00
Payroll Withholding	7,989.61			7989.61
Debt Service Reserve		1,913.28		1,913.28
Fire Equipment		24,438.80		24,438.80

Recreation Fund	21,218.29			21,218.29
PA Motor License	1,072.71	576.93		1,649.64
Skate Park	17,619.10			17,619.10
Sinking Fund	30,322.10	3,573.16	300,000.00	333,895.26
1999-01 Equipment Replacement	397,732.60			397,732.60
Totals	\$1,360,571.89	\$ 45,745.94	\$1,585,000.00	\$2,991,317.83

<p>Treasurer's Report January 31, 2006</p>
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Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$329,916.53	\$ 4,825.88	\$ 785,000.00	\$1,119,742.41
Water	615,044.48	4,457.13	250,000.00	869,501.61
Sewer	563,495.18	3,943.51	250,000.00	817,438.69
General	73,326.37	2,017.25		75,343.62
Payroll	200.00			200.00
Payroll Withholding	13,772.28			13,772.28
Debt Service Reserve		1,913.28		1,913.28
Fire Equipment		24,361.78		24,361.78
Recreation Fund	21,218.29			21,218.29
PA Motor License	1,072.71	576.93		1,649.64
Sinking Fund	743,178.06	3,573.16	300,000.00	1,046,751.22
1999-01 Equipment Replacement	397,732.60			397,732.60
Totals	\$2,758,956.50	\$ 45,668.92	\$1,585,000.00	\$4,389,625.42

RESOLVED, That, the Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilman Rosenberger, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Visitors:

Michel Scarborough, 223 North Hellertown Avenue, asked Council to consider adopting a sex offender ordinance such as other Boroughs have adopted. President Hallman told her she could speak during the Health, Safety & Welfare Committee portion of the Agenda.

PLANNING & ZONING COMMITTEE

The next item on the agenda is consideration of the Sheppleman Subdivision. Councilman Wilsey pointed out that Council is concerned with the 270 ft. instead of the required 1,000 ft. for intersections entering into a major traffic street. There are also stormwater run off and sidewalk concerns.

Attorney Richard Pratt (representing Mr. Sheppleman) told Council that the proposal is to shift the entrance to a 270 ft. site distance, which he feels meets PennDOT standards for state roads to pull out safely and allows adequate stopping distance for cars coming down the road. He indicated that this will require a waiver, but he feels that it does not adversely affect the intent of the Ordinance. Councilman Rosenberger stated that the neighbor on the east side said he's not opposed to this plan, is the other neighbor opposed? Attorney Pratt indicated that the other neighbor signed that he will accept this plan. Mr. Cary (property owner on the west) was present and indicated that he doesn't like the plan, he would rather not have the road there, but will accept the land they are giving if it goes through. Councilman Hallman pointed out that he does not like telling residents that they must maintain drainage basins and if it's not maintained properly, it will fall back on the Borough. Councilman Rosenberger stated that it will be in their deed. Councilman Hallman indicated that he thinks highly of the Planning Commissions recommendations, but cannot picture five houses in that small area.

RESOLVED, That, the following Resolution 10-06 concerning the approval of the Sheppleman Subdivision be adopted:

RESOLUTION 10-06

WHEREAS, Paul and Deborah Sheppleman, owners of tax parcel 35-9-15, have filed a major subdivision plan for land on the north side of Mill Street to the west of Hellertown Avenue; and

WHEREAS, the Quakertown Planning Commission and the Bucks County Planning Commission have reviewed and recommended approval of the plan dated September 29, 2004 (last revised October 21, 2005);

NOW, THEREFORE BE IT RESOLVED by Borough Council of the Borough of Quakertown that the plan dated September 29, 2004 (last revised October 21, 2005) is approved subject to the following conditions:

1. Language is to be added to the plans (calling for individual deed language) indicating that maintenance of the stormwater basin in the rear of the project is to be

the responsibility of the lot 5 owner. Concrete markers are to be added to the plan (and on the land) marking the four corners of the system;

2. Language is to be added to the plans (calling for individual deed language) indicating the maintenance of the stormwater basin in the front of the project is to be the responsibility of the owner of tax parcel 35-9-14;

3. Language is to be added to the plans (calling for individual deed language) indicating that the owners of lots 4 and 5 can not alter the planned berms along the west side of their parcels;

4. Evidence is to be presented to the Borough that the owner of tax parcel 35-9-14 accepts the conveyance of land shown on the plans with the required maintenance referred to above in #2;

5. Evidence is to be presented to the Borough that the owner of tax parcels 35-9-6 and 35-9-17 grant the shown easement for stormwater;

6. The plans are to be revised showing correct lot numbers and correct lot owners;

7. The plans are to be amended to show a new driveway to be built by the developer on the western side of Chester Court for tax parcel 35-9-16.

8. Evidence is to be presented to the Borough that the owner of tax parcel 35-9-16 accepts the conveyance of land shown on the plans;

9. Language is to be added to the plans (calling for individual deed language) indicating that the owners of lots 3, 4 and 5 are to be responsible for the future maintenance of water and sewer lines not in the street right-of-way that serve lots 3, 4 and 5;

10. Language is to be added to the plans (calling for individual deed language) indicating that the owners of lots 4 and 5 are jointly responsible for the future maintenance of the shared driveway serving lots 4 and 5;

11. The plans are to comply with all comments, suggestions and reviews of the Borough Engineer.

The plan must be recorded in Bucks County within ninety (90) days.

Motion of Councilman Wilsey, seconded by Councilman Zaiser. A roll call vote was taken and the motion was defeated by a majority vote. Councilmembers voting against:

Rosenberger, Werner, Williams and Hallman, and Councilmembers voting in favor: Wilsey and Zaiser (Councilman Roberts — absent).

RESOLVED, That, the following Resolution 12-06, concerning the denial of the Sheppleman Subdivision, be adopted:

RESOLUTION 12-06

WHEREAS, Paul and Deborah Sheppleman, owners of tax parcel 35-9-15, have filed a major subdivision plan for land on the north side of Mill Street to the west of Hellertown Avenue; and

WHEREAS, the Quakertown Planning Commission and the Bucks County Planning Commission have reviewed the plan dated September 29, 2004 (last revised October 21, 2005); and

WHEREAS, the plan does not conform to the Quakertown Subdivision Regulation Ordinance.

NOW, THEREFORE BE IT RESOLVED by Borough Council of the Borough of Quakertown that the plan dated September 29, 2004 (last revised October 21, 2005) is denied due to noncompliance with the following sections of Chapter 22 (the Quakertown Subdivision Regulation Ordinance) of the Code of Ordinances of the Borough of Quakertown:

1. Section 506(1). The Borough Ordinance requires a right-of-way width/cartway width of 50 feet/36 feet and the plan provides only 42 feet/28 feet.
2. Section 506(4)c. The Borough Ordinance requires that intersections shall not enter into a major traffic street at intervals of less than 1,000 feet; the plans provides for an interval of only 270 feet from the intersection of the proposed, new road to the intersection of Mill Street/Hellertown Avenue.
3. Section 506(6). The Borough Ordinance requires that sidewalks shall generally be required in residential areas. The plan provides for sidewalks only on one side of the new, proposed road.

Motion of Councilman Wilsey, seconded by Councilman Williams. A roll call vote was taken and the motion carried by majority vote with the following Councilmembers voting in favor: Rosenberger, Werner, Williams and Hallman; and the following Councilmembers voting against: Wilsey and Zaiser (Councilman Roberts — absent).

REVENUE & FINANCE COMMITTEE

In Councilman Roberts absence, Councilman Rosenberger chaired the Revenue & Finance Committee.

RESOLVED, That, reading of Ordinance 1117 concerning Council reorganization and changes in employee benefits, be waived. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Ordinance 1117, an amendment to the Code of Ordinances of the Borough of Quakertown, amending the Introduction to Code Section 421(1) Borough officials, appointments and responsibilities; Chapter 1, Section 123 and 301, amending the procedure for reorganization of Borough Council; and Chapter 1, Sections 234(1), 234(4), 235(4), 239, 240, and 241, amending employee regulations, be passed finally. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council approve the creation of an Audit Committee composed of two Councilmembers to establish procedures for a detailed financial overview of the Borough's finances. If an additional person, either a Councilperson or someone in the community is needed, the Committee will come back before Council. The Committee will present a charter or mission to Council in the near future. Motion of Councilman Rosenberger, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the Borough Manager be authorized to add the approved Council meeting minutes, agendas for upcoming meetings and a calendar of Borough Meetings to the Borough website and investigate other possibilities and report to Council. Motion of Councilman Rosenberger, seconded by Councilman Zaiser.

Councilman Zaiser asked that the Councilmembers email addresses also be listed on the website. President Hallman stated that this will be one of the items the Borough Manager will look into.

A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the Borough Manager be authorized to proceed with implementation of the Mill Street Traffic Calming Plan. Motion of Councilwoman Werner, seconded by Councilman Williams.

Councilman Wilsey wondered if Council will regret the hump part of the plan and the expense it would be to remove it if they wouldn't like it. President Hallman questioned how it would be known whether Council likes it or not if it is not put in. President Hallman stated that signs do not deter the speeding. Councilman Wilsey stated that he could see the value of trying the hump. Councilman Williams pointed out the need for a hump with senior citizens attending the concerts in the park.

A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the Police Chief be authorized to proceed with the use of a Vehicle Impound Lot at the Wastewater Treatment Plant. Motion of Councilwoman Werner, seconded by Councilman Williams. A roll call vote was taken and the motion failed due to a tie vote with the following Councilmembers voting in favor: Werner, Williams and Hallman; and the following Councilmembers voting against: Rosenberger, Wilsey and Zaiser (Councilman Roberts — absent).

Michel Scarborough was told she could speak at this time. Ms. Scarborough indicated that surrounding Boroughs are adopting an ordinance with regard to sex offenders and wanted to know what the Borough's thoughts are on the subject. Councilman Zaiser stated that next month Council is going to review certain safety and community improvement issues. There are some constitutional questions and insurance issues with the state that need to be addressed.

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the Borough Manager be authorized to sign design contracts for water well 9 with geologist Mercuri and Associates for a cost not to exceed \$62,950 and with engineer Schoor DePalma for \$89,800. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Councilman Rosenberger told Council that a letter was received from Comcast that they are raising their rates again.

PUBLIC WORKS COMMITTEE

Councilman Zaiser stated that there aren't any items for action or report under the Public Works Committee.

PARKS & RECREATION COMMITTEE

Councilman Williams indicated that there are a few steps needed with regard to the land at the foundry. First of all, a subdivision needs to be filed to create a six acre parcel of land along the east side of Fourth Street, which includes land both in Quakertown and Richland Township. Once the six acres is legally subdivided, the parcel of land will be placed out to bid. The Parks & Recreation Committee recommends that a minimum bid of \$750,000 be set for acceptance of bid proposals. If the YMCA is the highest bidder, the Borough will agree to lease an additional four acres of land for \$1.00 per year. If the YMCA is the highest bidder, the Borough will review the Zoning Ordinance for compliance with the YMCA type of usage.

RESOLVED, That, the Borough Manager be authorized to proceed with the appropriate steps to create a new six acre parcel of land at the foundry and to prepare specifications for its ultimate sale. Motion of Councilman Williams, seconded by Councilwoman Werner.

Councilman Rosenberger asked with regard to all the Borough owned acreage at the Krupp site, other than the six acres we are going to sell, is Council willing to have a public hearing on the use of this land? Councilman Wilsey stated that he is in agreement with Councilman Rosenberger. Councilman Wilsey asked if we lease four acres to the YMCA, will it be legal that we exclude other groups from that consideration? Everyone should be allowed to bid on the purchase of six acres and the lease of four acres. President Hallman pointed out the motion does not indicate the lease of four acres, the six acres indicated in the motion will need to be subdivided in any event in order to be sold. Councilman Wilsey stated that he would like to hear viewpoints from the public on the use of this land in the foundry lot. Councilman Rosenberger stated that a public hearing will give us a better feeling of what the people we represent would like us to do. Councilman Rosenberger indicated that he is in favor of selling the six acres for an appropriate use, but the remaining ten acres in the back could be used for other purposes such as a residential park with walking paths, etc.

Councilman Williams withdrew his motion to proceed with steps to create a new six acre parcel of land at the foundry. Councilwoman Werner withdrew her second to the motion.

RESOLVED, That, a public hearing be held on February 27th regarding the future use of the Krupp site inclusive of all 16 - 17 acres that the Borough currently owns. Motion of Councilman Rosenberger, seconded by Councilman Wilsey.

Councilman Zaiser suggested to also post the public hearing on the Borough's web site. Councilmembers agreed to this suggestion.

A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the following Resolution 9-06 setting fees for the swimming pool in 2006 be adopted:

RESOLUTION NO. 9-06

BE IT RESOLVED, That, swimming pool season tickets may be purchased in Borough Hall during regular business hours starting Monday, May 8, 2006, and ending Friday, June 2, 2006, at the following rates:

	RESIDENTS	NON-RESIDENTS
Family	\$135.00	\$185.00
Adult	65.00	90.00
Child (under 19 yrs.) or Sr. Citizen	45.00	70.00

After June 2, Season Tickets may be purchased during regular business hours at the following rates:

	RESIDENTS	NON-RESIDENTS
Family	\$140.00	\$190.00
Adult	70.00	95.00
Child (under 19 yrs.) or Sr. Citizen	50.00	75.00

Daily tickets may be purchased at the pool at the following rates:

	ADULTS	CHILDREN OR SENIOR CITIZEN
Monday to Friday	\$5.00	\$4.00
Saturday, Sunday & Holidays	6.00	5.00
Twilight (all days) after 6:00 p.m.	2.00	2.00

1. A senior citizen is a person who is at least 62 years old.
2. All swim team members must possess either (a) A season pass; or (b) A special pass @ \$20.00 (for swim team use only).

3. An adult pass is required for every person age 19 and over.

Swimming Pool Lessons	\$32.00/person/session
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Motion of Councilman Williams, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council grants the request of the Quakertown High School to use Memorial Park Stadium for eight baseball games this Spring. Motion of Councilman Williams, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Manager Woglom told Council that the Bucks County annual report has come out regarding ambulances and their average response time per call. For basic life support of the 54 municipalities only eight have faster times than Quakertown. For advanced life support there are only two municipalities in all of Bucks County that have faster times than Quakertown.

President Hallman declared the meeting adjourned at 8:55 p.m.

February 27, 2006

A special meeting was held February 27, 2006, to hear residents and taxpayers of the Borough regarding the use of the Borough property formerly known as the Krupp Foundry site.

The following members and officers were present: President Dennis A. Hallman, Vice President L. James Roberts, Councilmembers Donald Rosenberger, Elfriede Werner, Daniel Williams, David Wilsey, David Zaiser, Solicitor Charles Fonzone, Manager David L. Woglom and Asst. Borough Secretary Phyllis R. Ewing.

Councilman Williams indicated that people speaking could be either a resident and/or a taxpayer.

Pat Edwards, Executive Director of the YMCA, 151 South Fourteenth Street, felt the ten acres of undeveloped land would become more valuable if the YMCA were built on those acres. She named several of the benefits of having the YMCA.

Tom Bisko, President and Chief Executive Officer of the Quakertown National Bank, 15 North Third Street - go on record that they are supportive of the YMCA. We think it's a great community use and a nice site.

Bernie Kensky, 1125 Mill Street, would like to see senior housing similar to the Grundy House;

leave it as a park; or if you are going to get rid of the property, put it out to bid. He feels the YMCA will bring even more traffic and more speeding.

Gary Steich, 121 Mill Street, agrees with Mr. Kensky — senior housing or use for a park.

Christine Murray, 108 N. Ninth Street, ideal location for YMCA. Doesn't feel the traffic will be a problem.

Eric Hellman, 811 W. Mill Street, in favor of the YMCA. Doesn't feel the traffic generated by the YMCA will create a hazard.

Greg and Fran Ede, 815 Mill Street, both in favor of the YMCA.

Fred Moyer, 602 Juniper Street, the YMCA would enhance the downtown area, park and Library.

George Banas, 34 S. Seventh Street, felt parking would be a problem, currently needs parking areas and needs a bandshell in that area.

Doug Hutchinson, on the Board of the YMCA and Chairman of the Building Committee, 415 W. Broad Street, feels the YMCA brings positive activities for young people and should be in that location.

Nancy Roberts, 529 Juniper Street, the YMCA should be in that location.

Sharon Marshall, resident and business owner, 905 West Broad Street, in favor of the YMCA.

Paul Hartley, 109 Braithwaite Lane, supports the YMCA in that location. Urged Council to enable the YMCA to begin its programs with a quality facility and as little debt as possible.

Oswaldo Rodriguez, Chiropractor, 334 West Broad Street, in favor of YMCA.

Jamie Sanchez, 217 S. Eleventh Street, in favor of YMCA. Gives the kids something to do.

Steve Biddle, 130 S. Main Street, YMCA would be a tremendous improvement.

There being a small number of the people present speaking, President Hallman asked for a show of hands as to who is in favor of the YMCA at that location — all but three indicated they are in favor of the YMCA. Three people indicated they are in favor of another option than the YMCA.

There being no one else wishing to speak, Councilman Williams called the meeting to a close at 8:00 p.m. Councilman Williams indicated that Council will discuss this at the next regular meeting on March 1st and invited everyone to attend that meeting.