

January 3, 2006

A re-organizational and regular meeting of the Borough Council was held January 3, 2006, 7:30 p.m.

Justice of the Peace C. Robert Roth administered the Oath of Office to reelected and newly elected Councilmembers Donald Rosenberger, Daniel Williams and David Zaiser.

RESOLVED, That David Woglom be appointed as Temporary Chair. Motion of Councilman Roberts, seconded by Councilman Williams.

Manager Woglom presided over the election of the President of Council.

RESOLVED, That, Dennis Hallman be nominated as President of Council. Motion of Councilman Roberts, seconded by Councilman Rosenberger.

RESOLVED, That, David Wilsey be nominated as President of Council. Motion of Councilman Zaiser.

There being no other nominations, a ballot was taken and tallied by Manager Woglom. Dennis Hallman received the majority of the votes.

Councilman Hallman will serve as President of Council.

President Hallman presided over the election of the Vice President of Council.

RESOLVED, That, L. James Roberts be nominated as Vice President of Council. Motion of Councilman Rosenberger, seconded by Councilwoman Werner.

There being no other nominations, Councilman Roberts will serve as Vice President of Council.

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

RESOLVED, That, the Minutes of December 7, 2005, be approved as written. Motion of Councilman Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the Police Department, Zoning Administrator and Building

Inspector reports be received and filed. Motion of Councilman Roberts, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried.

Visitors:

Steve Biddle, 130 S. Main Street, stated that he has a question for Mr. O'Shura. President Hallman stated that he could speak during the Planning & Zoning Committee portion of the agenda.

President Hallman announced the following appointments and reappointments:

Zoning Hearing Board –

David D. Shields, 300 S. Ninth Street, term to expire on 12/31/10

Planning Commission –

Stephen Biddle, 130 S. Main Street, term to expire on 12/31/09

Michael Orzel, 1024 Park Avenue, term to expire on 12/31/09

Nancy Roberts, 529 Juniper Street, term to expire on 12/31/09

Quakertown General Authority –

Philip Miller, 419 Erie Road, term to expire on 12/31/10

Quakertown Area Industrial and Commercial Development Authority –

David Zaiser, 1 Naylor Court, term to expire 12/31/10

Civil Service Commission -

Arlene Price, 263 S. Third Street, term to expire on 12/31/11

Vacancy Board Chairman -

Ronald E. Heller, 73 Kenwood Circle, term to expire on 12/31/06

RESOLVED, That, the appointments and reappointments made by President Hallman be ratified. Motion of Councilman Roberts, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

President Hallman announced the following Committee Chair assignments:

Planning & Zoning Committee — Councilman Wilsey

Revenue & Finance Committee — Councilman Roberts

Health, Safety & Welfare Committee — Councilwoman Werner

Public Utilities Committee — Councilman Rosenberger

PLANNING & ZONING COMMITTEE

Councilman Wilsey stated that Mr. O'Shura has come in to describe the concept of what he hopes to do with his property on Main Street. Mr. O'Shura was present with Gavin Laboski, his attorney. Mr. Laboski told Council that Mr. O'Shura plans to take a really old house, that is beyond saving in his estimation, to demolish it and replace it with a three-unit townhome. Council was provided with site plans and architectural renderings. The plan has been through some revisions and changes and there is an application pending before the Quakertown Zoning Hearing Board. The revisions are result of a discussion with Council in October 2005. The plan essentially complies with the Zoning Ordinance, it still requires special exception and interpretation approvals. Mr. Laboski asked for Council's questions in this matter.

Councilman Wilsey pointed out that the prior plan showed the driveway on the north side and now the driveway is on the south side. The rendering shows the front of the homes and Councilman Wilsey stated that he feels that they look nice and are in keeping with the neighborhood. Councilman Wilsey stated that the Zoning Ordinance doesn't permit Townhouses in the HR District and he feels that they should be permitted in that district. Councilman Roberts also indicated that he is in favor of the current plan.

Mr. Biddle indicated that the Planning Commission feels that the current proposal is a great improvement over the prior proposal.

Manager Woglom pointed out that there is an interpretation question — the Zoning Ordinance requires that the width of the driveway be 20 feet at the street line. The current plan shows 23.9 feet, but they incorporated 7.98 feet of sidewalk or driveway apron on the neighbor's property in that figure. Mr. Laboski stated that the 7.98 feet is within the ultimate right-of-way and the deeds between both properties allows ingress and egress amongst them. Manager Woglom asked for a copy of the deeds be submitted so that they could be presented to the Zoning Hearing Board. Mr. Laboski indicated that he intends to introduce the deeds, as exhibits, at the Zoning Hearing Board.

Councilman Rosenberger stated that sometime in the near future Council will adopt a Historical Preservation Ordinance. Councilman Rosenberger stated that while he likes the look of the plan, could the front be required to be stucco rather than vinyl? Councilman Wilsey indicated that they could be asked that it be stucco, but can't be required to do it.

Councilman Wilsey thanked Mr. O'Shura and Mr. Laboski for coming.

Resolved, That, the following Resolution 5-06, concerning adoption of the Bucks County Hazard Mitigation Plan, be adopted:

RESOLUTION NO. 5-06

WHEREAS, Bucks County has gathered information and prepared the Bucks County Hazard Mitigation Plan; and

WHEREAS, the Bucks County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Borough of Quakertown is a local unit of government that has been afforded the opportunity to comment and provide input to the Plan and the actions in the Plan; and

WHEREAS, Quakertown Borough Council has reviewed the Plan and affirms that the Plan should be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown adopts the Bucks County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

Motion of Councilman Wilsey, seconded by Councilman Roberts.

Councilman Zaiser asked why a public meeting wasn't attended? Manager Woglom indicated that the report was published in November prior to his attending a meeting, which he attended on December 8th. Manager Woglom stated that one of the requirements was to attend a public meeting.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 1-06, establishing that no employee contributions are necessary for the uniform pension plan, be adopted:

RESOLUTION 1-06

WHEREAS, it has been determined by Actuarial Study that the Police Pension Fund is actuarially sound, and that no contributions from the member

officers are needed for the year 2006,

NOW, THEREFORE, under the authority of Section 6 of the Act of May 29, 1956, P.L. 1804, as amended, it is

RESOLVED, by the Council of the Borough of Quakertown, That, the deductions from each officer's wages as called for by Borough Ordinance be eliminated effective January 1, 2006, for the 2006 calendar year.

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

RESOLVED, That, the following Resolution 3-06, establishing Borough billing rates for 2006, be adopted:

RESOLUTION #3-06			
WHEREAS, the Borough of Quakertown provides services and/or			
repairs to needed public services; and			
WHEREAS, Borough Council wishes to establish proper billing unit-			
prices for the services;			
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the			
Borough of Quakertown, That, the following unit prices will be used for billing			
purposes:			
PUBLIC WORKS DEPARTMENT			
Employee	Regular	Overtime	
Joseph Murgia, Superintendent	41.48	62.22	
Michael Smakulski, Asst. Supt.	27.90	41.85	
General Crew			
Brian Fluck, Crew Chief	25.44	38.16	
Kenneth Barndt.	23.04	34.55	
William Gleockler	23.04	34.55	
Brian Weaver	23.04	34.55	
Henry Marushak	23.04	34.55	
David Lang	23.04	34.55	
Gary Ritter	23.04	34.55	
Bassam Sayegh	23.04	34.55	
William Nace	23.04	34.55	
Peter Weaver	24.44	36.66	

Steven Brown, Mechanic	27.35	41.03	
Andrew Bucko, Mechanic	28.68	43.02	
ADMINISTRATION			
Employee	Regular	Overtime	
David Woglom, Borough Manager	56.25	84.38	
Barbara Stoneback, Adm. Assistant	27.43	41.15	
Ken Fretz, Zoning Adm.	31.84	47.76	
Phyllis Ewing, Manager Secretary	24.21	36.31	
Elaine Propst, Payroll Clerk	23.27	34.91	
Melanie Guenst, Billing Clerk	23.10	34.65	
Maria Nicol, Police Secretary	23.10	34.65	
Kris LaCava, Zoning Secretary	15.51	23.26	
Melissa Molnar, Asst. Secretary	21.75	32.62	
Diane Maletsky, Billing Clerk	23.10	34.65	
Diane Kooker, Receptionist	19.44	29.15	
Linda Lehman, Billing Clerk	23.10	34.65	
Sandy Wolfinger, Asst. Secretary	21.75	32.62	
ELECTRIC DEPARTMENT			
Employee	Regular	Overtime	
John Molnar, Superintendent	41.48	62.22	
General Crew			
David Gruber, Foreman	39.75	59.63	
Donald Koch	37.48	56.22	
Kenneth Christman	37.48	56.22	
Erik Gibbs	37.48	56.22	
Rick Hartenstine, Meters	23.04	34.55	
Joseph Laumakis, Meters	23.04	34.55	
WATER DEPARTMENT			
Employee	Regular	Overtime	
Michael Brzezicki, Superintendent	41.48	62.22	
Steve Crotzer, Asst. Foreman	28.70	43.06	
Rodney Weaver, Asst. Foreman	28.70	43.06	
Les Keiser	24.69	37.03	
Brad Knight	24.69	37.03	
David Weaver	24.69	37.03	
Jay Chuchman	24.69	37.03	

SEWER DEPARTMENT			
Employee	Regular	Overtime	
Scott Borger, Superintendent	41.48	62.22	
Operations			
George Kokolis, IPP Coordinator	27.63	41.44	
Joe Bishop, Operator	24.99	37.48	
Doug Lick, Operator	24.99	37.48	
Diana Gleockler, Secretary	21.75	32.62	
Line Maintenance			
Kelly Kemmerer, Foreman	29.08	43.62	
Robert Mitman	23.67	35.51	
James Schreier	23.04	34.55	
Plant Maintenance			
Don Turner, Foreman	27.63	41.44	
Randy Cabuski	24.99	37.48	
Keith Ritter	24.99	37.48	
EQUIPMENT			
	Cost per Hour		
Backhoe	70.00		
Dump Truck	55.00		
Air Compressor	30.00		
Sweeper	75.00		
Electric Bucket Truck	100.00		
Electric Auger Truck	100.00		
Chipper	50.00		
Pickup Truck	50.00		
Roller	50.00		
Sewer TV Truck	250.00 (Minimum 3 hour call)		
Sewer Flush Truck	250.00 (Minimum 3 hour call)		
MATERIAL			
	According to actual cost.		

Motion of Councilman Roberts, seconded by Councilman Rosenberger.

Councilman Roberts asked about the Police Department not being on the billing list and was advised that is due to the Police contract not being resolved at this point in time.

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

RESOLVED, That the following Resolution 4-06, setting a meter base fee, be adopted:

RESOLUTION NO. 4-06

WHEREAS, Resolution 1-94 was first adopted on January 3, 1994 and established the fees associated with Borough services; and

WHEREAS, the Borough wishes to add a meter base change fee;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the following charge be added to read as follows:

7. ELECTRIC FEES:

Meter Base change \$10.00

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

Councilman Roberts stated that Congressman Michael Fitzpatrick had planned to attend tonight's meeting, but was unable to due to travel complications. On behalf of Congressman Fitzpatrick, Councilman Roberts announced that in a recent bill \$300,000 will be granted for the study in 2006 of a rail service to Quakertown and possibly beyond.

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 2-06, appointing Fire Police for 2006, be adopted:

RESOLUTION NO. 2-06

WHEREAS, the Quakertown Fire Department has nominated several individuals to serve as Fire Police for the Quakertown Fire Department; and

WHEREAS, Act 122 of 1980 (P.L. 5580, No. 122) requires that Quakertown Borough Council appoint these individuals as Fire Policemen and state the scope of their responsibilities.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough

of Quakertown to appoint the following individuals as Fire Policemen for the Quakertown Fire Department and the Borough of Quakertown for 2005:

1. Peter Graziano, 39 S. Eighth Street, Quakertown, PA 18951
2. Christopher Erwin, 247 Richlandtown Pike, Quakertown, PA 18951
3. David Erwin, 545 S. Main Street, Quakertown, PA 18951
4. Celeste Graziano, 39 S. Eighth Street, Quakertown, PA 18951
5. Daniel Ritter, 1236 Mill Street, Quakertown, PA 18951
6. Beth Rodenberger, 39 S. Eighth Street, Quakertown, PA 18951
7. Ryan Williams, 2 Naylor Court, Quakertown, PA 18951
8. Douglas Shaw, 33 S. Ninth Street, Quakertown, PA 18951

AND BE IT FURTHER RESOLVED, by the Borough Council that these Fire Policemen are authorized to participate in or provide the duty as prescribed in Act 122 of 1980 in the following situations:

1. Any time the Quakertown Fire Department is dispatched for a fire or rescue call within the region that the Quakertown Fire Department is a first responder;
2. Any time the Quakertown Fire Department responds to a mutual aid call;
3. Any emergency service directly authorized by the Quakertown Department Fire Chief (or, in his absence, the Deputy Chief);
4. Any training courses approved by the Quakertown Fire Department Chief;
5. The following annual events: (a) Quakertown Memorial Day Parade; (b) Quakertown Community Day; (c) Quakertown 4th of July Fire Works; (d) Quakertown Halloween Parade; (e) all Fire Police district meetings and training courses; (f) the Bucks County Firemen's Parade; (g) the Perkasio Community Day Festival; (h) the annual Air Show; (I) the March of Dimes Walk-a-thon; (j) Crop Walk; (k) Fire Company Carnivals -- Dublin, Milford, Sellersville and Trumbauersville; (l) Sellersville Memorial Day Parade; (m) Quakertown Historical Society Market Day; (n) East Rockhill Township Community Day; (o) Christmas Parades — Perkasio and Dublin; (p) any funeral in Bucks County for a municipal or county official, any law enforcement officer and any fireman or fire police officer; and, any other regional Fire Company request if approved by the Fire Chief and the Borough Manager; and
6. Any other event if approved by Quakertown Borough Council.

The Fire Policemen shall not be used or participate in any other event without the approval of Quakertown Borough Council. No other individuals shall be authorized to act as Fire Policemen.

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

PUBLIC UTILITIES COMMITTEE

Councilman Rosenberger told Council that we are entering the second of a three-year contract with AMP-Ohio. AMP has told the seventeen municipalities (of which we are one) that they plan to increase the price in the contract for years two and three. The Consortium attorneys advised us that although they may not be within their rights to increase the rates, they are able to give us six months notice and cancel the contract. If they cancel the contract with six months notice, we would be thrown on the open market and perhaps pay a lot more than the increase they are proposing. The municipalities are looking into signing an amendment with AMP that would provide that company with an increase above what was originally planned – for 2006, it would be 7.1% over the contract price and 2007, it would be 4.5% over the contract price. We would also be able to cancel out with six months notice if we could locate better rates.

RESOLVED, That, the following Resolution 6-06, regarding a new power schedule for 2006-2007, be adopted:

Resolution 6-06

BE IT HEREBY RESOLVED that the Borough of Quakertown, Pennsylvania hereby approves a proposal to enter an Amendment for a new power schedule for 2006-2007 to “American Municipal Power-Ohio” and the Borough of Quakertown, Pennsylvania Agreement AMP-Ohio Municipal Master Service Agreement No. C-1-2005-4189 dated January 24, 2005.” The Borough Council hereby approves this Amendment.

Motion of Councilman Rosenberger, seconded by Councilman Roberts.

Councilman Zaiser expressed concern that this increase would be passed on to the residents. Councilman Rosenberger stated that has not been expressed at this point. He further stated that AMP-Ohio did not lock in the prices and asked if they will be required to lock in the prices within so many days this time? Manager Woglom stated that the Borough will receive evidence that they locked in the prices.

Councilman Roberts asked if they are not in default of the contract? Manager Woglom indicated that would be litigation and if we argue that issue, they could then terminate us in six months. Councilman Roberts indicated that it is important to adopt this tonight, but it is not the end of the discussion. Councilman Hallman pointed out that the lawyer for the municipalities should have had the proper language in the contract. A roll call vote was taken on the above motion and the motion was unanimously carried.

PUBLIC WORKS COMMITTEE

Councilman Zaiser stated that there aren't any items for Public Works Committee this evening.

PARKS & RECREATION COMMITTEE

RESOLVED, That, Council grants the request of the Michener Library to use a portion of the foundry lot for a kite flying demonstration on April 8, 2006. Motion of Councilman Williams, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of the Richland Softball Association to use the Memorial Park softball field from April 1 - June 30, 2006. Motion of Councilman Williams, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried.

Councilman Zaiser made the following statement to Council: "Tonight is a new beginning for me, a climax of a year's worth of work. Where my ideas presented during my campaign, and since my election have been different than what you are used to, please be assured that my intentions are purely for the betterment of Quakertown and its residents. My campaign touched many lives, and many people presented me with ideas and concerns that truly affected me. There were very emotional times, that in reflection, make this evening more special. Speaking with many residents fueled my passion to work hard and obtain my goal, sitting with you this evening. We may not always agree on how to solve the town's issues, but rest assured, our goal is the same, to make Quakertown a better place to live, work and play."

President Hallman, on behalf of Council, welcomed Councilman Zaiser and indicated that they look forward to working with him.

President Hallman declared the meeting adjourned at 8:35 p.m.

January 7, 2006

A special meeting of the Borough Council was held on January 7, 2006, 8:15 a.m.

RESOLVED, That, L. James Roberts be appointed as Temporary Chair. Motion of Councilwoman Werner, seconded by Councilman Williams. A roll call vote was taken and carried with the following Councilmembers voting in favor: Rosenberger, Werner, Williams, Wilsey, Zaiser and Hallman; and the following Councilmember abstaining: Roberts.

Temporary Chair L. James Roberts presided over the election of President of Council.

RESOLVED, That, Dennis Hallman be nominated as President of Council. Motion of Councilman Rosenberger, seconded by Councilwoman Werner.

RESOLVED, That, David Wilsey be nominated as President of Council. Motion of Councilman Zaiser.

There being no other nominations, a roll call voice vote was taken and the following Councilmembers voted for Dennis Hallman: Roberts, Rosenberger, Werner, Williams; the following Councilmembers voted for David Wilsey: Wilsey and Zaiser; Councilman Hallman abstained.

Councilman Hallman received the majority votes and will serve as the President of Council.

President Hallman presided over the election of Vice President of Council.

RESOLVED, That, L. James Roberts be nominated as Vice President of Council. Motion of Councilman Rosenberger, seconded by Councilman Williams.

There being no other nominations, a roll call vote was taken and the motion carried with the following Councilmembers voting in favor: Rosenberger, Werner, Williams, Wilsey, Zaiser and Hallman; and the following Councilmember abstaining: Roberts.

Councilman Roberts will serve as Vice President of Council.

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.

RESOLVED, That, the following Resolution 7-06, reason to reconvene the meeting of January 3, 2006, be adopted:

RESOLUTION NO. 7-06

WHEREAS, all members of Borough Council, having been duly elected and sworn in, convened on January 3, 2006 in order to reorganize in accordance with State Law and Section 421 of the Code of Ordinances of the Borough of Quakertown; and

WHEREAS, Borough Council has become aware that the procedure of reorganization followed in the January 3, 2006 meeting may not have been in accordance with the Pennsylvania Sunshine Act, and Borough Council wishes to ratify all subsequent actions taken during the January 3, 2006 meeting;

NOW, THEREFORE, BE IT RESOLVED by Borough Council that Council reconvenes on January 7, 2006, at 8:15 a.m., in order to reorganize as prescribed by law and to ratify all actions previously taken at the January 3, 2006 meeting.

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

RESOLVED, That, the Minutes of December 7, 2005, be approved as written. Motion of Councilwoman Werner, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilwoman Werner, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

Visitors:

No one present indicated they wished to speak.

President Hallman announced the following appointments and reappointments:

Zoning Hearing Board –

David D. Shields, 300 S. Ninth Street, term to expire on 12/31/10

Planning Commission –

Stephen Biddle, 130 S. Main Street, term to expire on 12/31/09

Michael Orzel, 1024 Park Avenue, term to expire on 12/31/09

Nancy Roberts, 529 Juniper Street, term to expire on 12/31/09

Quakertown General Authority –

Philip Miller, 419 Erie Road, term to expire on 12/31/10

Quakertown Area Industrial and Commercial Development Authority –

David Zaiser, 1 Naylor Court, term to expire 12/31/10

Civil Service Commission -

Arlene Price, 263 S. Third Street, term to expire on 12/31/11

Vacancy Board Chairman -

Ronald E. Heller, 73 Kenwood Circle, term to expire on 12/31/06

RESOLVED, That, the appointments and reappointments made by President Hallman be ratified. Motion of Councilman Roberts, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

President Hallman announced the following Committee Chair assignments:

Planning & Zoning Committee — Councilman Wilsey
Revenue & Finance Committee — Councilman Roberts
Health, Safety & Welfare Committee — Councilwoman Werner
Public Utilities Committee — Councilman Rosenberger
Public Works Committee — Councilman Zaiser
Parks & Recreation Committee — Councilman Williams

RESOLVED, That, the following Resolution 8-06, ratifying resolutions adopted on January 3, 2006, be adopted:

RESOLUTION 8-06

RESOLVED, That, Borough Council ratifies the following resolutions all of which have been voted upon and adopted by Borough Council at the January 3, 2006 Borough Council meeting:

5. Resolution 1-06, establishing that no employee contributions are necessary for the uniform pension plan.
6. Resolution 2-06, appointing Fire Police for 2006.
7. Resolution 3-06, establishing Borough billing rates for 2006.
8. Resolution 4-06, setting a meter base fee.
9. Resolution 5-06, concerning the adoption of the Bucks County Hazard Mitigation Plan.
10. Resolution 6-06, authorizing the proper Borough officials to sign an amendment to the wholesale power agreement with AMP-Ohio.

11. The resolution approving the request from the Michener Library to use a portion of the foundry lot for a kite flying demonstration on April 8, 2006.
12. The resolution approving the Richland Softball Association to use the Memorial Park softball field from April 1 - June 30, 2006.

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

Councilman Roberts stated that Council has in the past and on January 3, 2006, followed Subsection 421 of the Code of Ordinances of the Borough of Quakertown, which he read as follows:

“§421. Organization of Council, President of Council

- i. On the first Monday of January following the regular municipal election, the members of the municipal council shall assemble at the usual place of meeting and organize and choose one (1) of their number as mayor or president of council or chairman unless otherwise provided. The mayor or president of council or chairman shall be chosen by ballot by majority vote of all members of the municipal council...”

Councilman Roberts further explained that is where the word “ballot” came into Council’s proceedings. Councilman Roberts asked that the Solicitor prepare appropriate legislation to expunge this impropriety from the rules and replace with the proper and correct wording for future organizations of Council.

President Hallman declared the meeting adjourned at 8:35 a.m.

January 23, 2006

A special meeting of the Borough Council was held on January 23, 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 and Manager David L. Woglom.

Councilman Rosenberger stated that there has been a contract change with AMP-Ohio and the Borough’s wholesale electric rate will be 7.1% higher this year than expected and 4.5% higher in 2007 than expected. An analysis was prepared by the Borough Manager showing several different financial scenarios. In order to recover the Borough’s additional cost, it would require a 5.3% increase in retail electric rates effective March 1. Councilman Rosenberger

suggested that the retail rates remain the same, examine our expenditures and see if this can be absorbed through the surplus for the next nine to ten months. The Borough can revisit the issue during the 2007 Budget review.

Councilwoman Werner, being on fixed income, agreed with Councilman Rosenberger. Councilman Wilsey stated that he understands how it will affect the people, but the surplus belongs to them as well. Councilman Wilsey asked if AMP-Ohio can again raise it in three months? Councilman Rosenberger stated that it is his understanding that the contract amendment requires AMP to go out into the power market and secure prices for 2006 and 2007, which is what they failed to do last year. Councilman Rosenberger asked Manager Woglom if he had received indication that this had occurred? Manager Woglom indicated that he did not receive evidence of that yet, but the amendment that was signed does require them to do so, meaning that the answer to Councilman Wilsey's question is "no".

President Hallman stated that Councilman Roberts is out of the country and before he left, he had expressed that he is in favor of holding off any retail increase and that he has some ideas on how to recoup the money without taking it all from surplus. Councilman Roberts will look into this matter further and report to Council when he gets back.

Councilman Wilsey asked how the Borough could shop for a different electric supplier. Manager Woglom stated that the problem is that the price in the marketplace today is extremely prohibitive. The Borough is paying \$62 per megawatt and in the marketplace it is between \$90 and \$95. Hopefully the marketplace gets better within the next fifteen or seventeen months.

Councilman Wilsey asked if alternate means for electricity have been looked into, such as wind power? Manager Woglom stated that the complication with the wind power generators is that they do not have enough of a steady load to sell it to you, and they must find a partner. Most alternative energy is more expensive than conventional.

President Hallman stated that it appears that members of Council agree not to raise the electric rates at this point in time.

President Hallman declared the meeting adjourned at 7:50 p.m.