

A regular meeting of the Borough Council of Quakertown was held March 1, 2017, 7:30 p.m.

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

RESOLVED, That, the Minutes of February 1, 2017 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 3, 2017	-	\$	146,204.41
February 10, 2017	-		21,718.26
February 16, 2017	-		795,648.97
February 23, 2017	-		461,695.53
February 24, 2017	-		153,195.34

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

Visitors:

Council Chambers was full with residents concerning their utility statements. Several residents in attendance who spoke were:

Lolfi Limouni, 6 Tierney Court
Torri Klinkert, 210 E. Mill Street
Mary Brockway, 89 Stonegate Road, community services volunteer
Nicole & Marc Lombardi, 9 Naylor Court
Robin Tighe, 109 Madison Court
Stephanie Carey, 104 Jefferson Court
Bill Adams, 224 S. 11th Street
Kathy Wilson, 135 S. 9th Street
Charles Lord, 13 Pennington Lane
Elizabeth Terek, 105-107 W. Broad Street
Melissa Chan, 23 S. 3rd Street
Andrew Gilman, 112 N. 9th Street
Buelah Wear, 57 N. 9th Street
Dave Davis, 210 Washington Court

Stephen Biddle, 130 S. Main Street, indicated he would like to speak regarding concert cancellation insurance.

PUBLIC UTILITIES COMMITTEE

Councilwoman Gaier indicated the residents could stand and state their issues concerning their utility statements.

The remarks from the residents were similar with their concerns on their statements of higher usage, rate/fee charges and meter reading inconsistencies. Several residents stated even with making changes to LED bulbs and cutting back, their usage increased.

Nicole Lombardi stated she would like information on solar panels. Manager McElree stated the Borough was one of the first local governments to enact a solar panel ordinance and the Borough encourages residents to search alternative forms of powerage.

Bill Adams inquired about the process of a grievance. Manager McElree explained the Billing Department receives it, then the procedure is to the Finance Director, Electric Department, then Borough Manager, depending on the grievance.

Manager McElree stated the Borough offered an energy audit program to residents years ago and there was not an interest but the Borough is looking to offer that again if there is an interest. The Borough has a small meter which residents can use to check their appliances to see how much consumption is being generated.

Andrew Gilman commended the Electric Department on their efficiency with an electrical issue he was having.

Manager McElree mentioned several sections of the Borough have new Elster wireless digital meters installed which do not require a human to go to the residence to be read. Elster is one of the largest providers of meters on the east coast. Manager McElree explained statements are calculated by the cost of electricity and the usage of electricity. The cost in the Borough has not increased since year 2010. Manager McElree mentioned the difference in statements would be in the amount of usage which can be caused by various causes like the temperature outside, number of people in the household, time of year, people's habits, what type of heat, number of electronic devices, etc. The water meters are still a manual read.

Manager McElree shared a comparison of rates with PPL, Peco and the Borough. The Borough is competitive to the other company's rates.

Kathy Wilson stated she would rather pay a higher real estate tax and lower electric rates. Councilman Rosenberger mentioned 22% of Borough properties are tax exempt including hospitals, schools and the library which generate a lot of electric revenues for the Borough.

Manager McElree suggested to the residents setting up a time to meet with him and a representative from the Billing Department to review their usage history and discuss possible causes of their increase.

Councilwoman Gaier suggested collecting names who are interested in a free energy audit from an outside agency which the Borough would provide. When the program becomes available it will be put on the utility statements and the Borough website. A suggestion was also made to post the information by the utility payment window.

Manager McElree mentioned the Bucks County Redevelopment Authority Program for residents who meet the criteria. Funds can be obtained to improve property like heating, windows and insulation which allows payback of the money when your property is sold.

President Roberts called a five minute recess.

PLANNING & ZONING COMMITTEE

Councilman Roth stated that there are not any items for action under the Planning & Zoning Committee.

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 27-17, amendment to the Fee Schedule for towing for the Police Department, be adopted:

RESOLUTION 27-17

WHEREAS, Resolution 114-12 was first adopted on December 5, 2012, and established the fees associated with Borough services; and

WHEREAS, a request was received by the Finance Director to revise the towing fees for the Police Department.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Quakertown wishes to amend the 2017 Fee Schedule to reflect the adjusted towing fees for the Police Department.

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

Councilman Rosenberger indicated Mr. Biddle could speak at this time. Mr. Biddle believes it is a good idea to get cancelation insurance for the concerts.

Councilman Rosenberger stated the Borough did get cancelation insurance at a very reasonable rate.

RESOLVED, That, the following Resolution 29-17, approve two concert contracts for August 24, 2017 event, be adopted:

RESOLUTION 29-17

WHEREAS, two concert contracts have been received for an event to be held on Thursday, August 24, 2017 at the Park @ 4th amphitheater; and

WHEREAS, the contracts are for Herman's Hermits starring Peter Noone for the amount of \$20,000 and Gary Puckett and the Union Gap Band for \$10,000.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Manager is hereby authorized to execute the said contracts 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 30-17, Lifequest's request for approval of issuance of notes, be adopted:

RESOLUTION 30-17

A RESOLUTION DECLARING THAT IT IS DESIRABLE FOR THE HEALTH, SAFETY AND WELFARE OF THE RESIDENTS OF THE BOROUGH OF QUAKERTOWN FOR THE QUAKERTOWN GENERAL AUTHORITY TO UNDERTAKE A PROJECT ON BEHALF OF THE LIFEQUEST OBLIGATED GROUP AND AFFILIATES; AND APPROVING THE PROJECT FOR PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE.

WHEREAS, LifeQuest (the "Corporation") on behalf of itself, Valley Nursing and Rehabilitation Center (doing business as Mosser Nursing Home), TogetherCare, LifeSpan Day Care, LifeQuest Assisted Living Facility and LifeQuest Nursing Center (collectively, the "Obligated Group") and other affiliates, has requested Quakertown General Authority (the "Authority") to issue, pursuant to the provisions of the Municipality Authorities Act of 1945 (the Act of May 2, 1945, P.L. 382 as amended, Pa. Stat. Ann. tit. 53 (§§301-322)) (the "Act"), up to \$51,000,000 in aggregate principal amount of notes or bonds, in one or more series, at the same or different times, as either taxable or tax-exempt, to be designated "Health Facilities Revenue Obligations, Series 2017 (LifeQuest)" (or such other designation, as appropriate) with the appropriate alphabetical series designation, as applicable (collectively, the "Obligations") to finance a project involving generally, among other things: (i) the refunding of certain outstanding loans made to the Corporation and certain affiliates in order to finance, in part, the construction, renovation and equipping of certain facilities of the Corporation and certain affiliates; (ii) the construction, renovation and equipping of certain facilities of the Obligated Group; (iii) the financing of one or more reserve funds, if necessary, and capitalized interest; and (iv) the costs of issuance of such Obligations (the "Project"), all as more particularly described on Exhibit A attached hereto and made a part hereof; and

WHEREAS, the Corporation and the Authority have requested the Borough Council of the Borough of Quakertown to approve by ordinance or resolution the issuance of Obligations for the Project, to the extent the Project affects the facilities of any member of the Obligated Group located in the Borough of Quakertown, and to declare that the issuance of the Obligations will serve the health, safety and welfare of the residents of the Borough of Quakertown; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), a joint public hearing has been held on behalf of the Borough of Quakertown and other municipalities by the Authority on February 20, 2017, after proper advertisement, in connection with the issuance of the Obligations; and

WHEREAS, Section 147(f) of the Code requires that the applicable elected representative of the governmental unit on behalf of which bonds or notes are issued and of each

governmental unit having jurisdiction over the area in which any facility, with respect to which financing is to be provided from the net proceeds of such bonds, is located, approve bonds after a public hearing in order for a private activity bond to be a "qualified bond" under the Code; and

WHEREAS, the Borough Council, as the elected legislative body of the Borough of Quakertown, is the applicable elected representative of the governmental unit having jurisdiction over the area in which a portion of the facilities involved in the Project are and will be located;

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown as follows:

It is hereby determined and declared that it is desirable for the health, safety and welfare of the residents of the Borough of Quakertown for the Authority to undertake the financing of the Project for the Obligated Group from proceeds derived from the issuance and sale of not to exceed \$51,000,000 aggregate principal amount of its Obligations.

The Project, and the issuance of the Obligations to finance the costs thereof, are hereby approved pursuant to the requirements of Section 147(f) of the Internal Revenue Code; provided, however, that no liability or obligation, financial or otherwise, shall be imposed upon the Borough of Quakertown by virtue of the enactment of this Resolution.

The proper officials of the Borough of Quakertown and the Borough Council are hereby authorized and directed to execute such documents, including, but not limited to, the Certificate attached hereto and made a part hereof, and to take such actions as are necessary or appropriate in connection herewith.

The approvals and declarations in this Resolution shall in no way pledge or otherwise obligate the credit or taxing power of the Borough of Quakertown, nor shall the Borough of Quakertown be liable for the payment of principal or interest or premium, if any, on the Obligations. The approvals evidenced hereby are limited to the portions of the Project located in the Borough of Quakertown, along with a proportionate amount of costs of issuance and reserves associated therewith.

All actions taken in conformity with the intents and purposes of this Resolution are ratified, confirmed and approved in all respects.

This Resolution shall take effect immediately. All prior resolutions or ordinances or portions thereof inconsistent herewith are hereby repealed.

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

HEALTH, SAFETY & WELFARE COMMITTEE

Councilman Johnson stated that there are not any items for action under the Health, Safety & Welfare Committee.

PUBLIC WORKS COMMITTEE

Councilwoman Paulovitz stated that there are not any items for action under the Public Utilities Committee.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 25-17, American Legion's request to hold a Memorial Day Parade, be adopted:

RESOLUTION 25-17

WHEREAS, a request was received for a public gathering permit from the Quakertown American Legion to hold the annual Memorial Day Parade with street closings of 9th Street, Broad Street, 4th Street and Mill Street between 9th and 4th Streets.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit to the Quakertown American Legion for the Memorial Day Parade to be held on May 29, 2017 beginning at 9:00 am, and the use of the bandshell provided they add the Borough as an additional insured on the insurance.

NOW, BE IT FURTHER RESOLVED, That, the Borough Council of the Borough of Quakertown waives the fee for the use of the bandshell.

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

A resident on Ninth Street suggested not permitting parking on the parade route for safety of the participates and respect in general.

RESOLVED, That, the following Resolution 26-17, Quakertown Alive!'s request to hold an Arts Alive Festival, be adopted:

RESOLUTION 26-17

WHEREAS, a request was received from the YMCA to conduct a Cinco de Mayo 5K Walk/Run on Borough streets.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the YMCA to hold a Cinco de Mayo 5K Walk/Run on Borough streets Wednesday, May 3, 2017 at 6:30 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.

President Roberts declared the meeting adjourned at 10:00 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Scott C. McElree
Borough Secretary