

A regular meeting of the Borough Council was held December 6, 2006, 7:30 p.m.

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

Council expressed their deepest sympathy to the families of the three deceased Borough employees.

RESOLVED, That, the Minutes of November 1, 2006, be approved as written. Motion of Councilman Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — 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 Williams. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

CHECKS #

54238 — 54485

\$1,912,332.68

RESOLVED, That, the Treasurer's Report for November 2006 be received and spread on the minutes. Motion of Councilman Roberts, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried.

Treasurer's Report November 30, 2006

Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$ 140,918.72	\$ 5,008.92	\$ 785,000.00	\$ 930,927.64
Water	445,536.45	504,624.61	250,000.00	1,200,161.06
Sewer	559,541.75	504,092.12	250,000.00	1,313,633.87
General	42,630.21	1,470.75		44,100.96
Payroll	200.00			200.00
Payroll Withholding	23,473.31			23,473.31
Debt Service Reserve		1,987.92		1,987.92
Fire Equipment		25,408.40		25,408.40
Recreation Fund	155,296.48			155,296.48
PA Motor License	294,435.16	588.43		295,023.59

Sinking Fund	725,398.11	3,705.33		729,103.44
1999-01 Equipment Replacement	46,494.08			46,494.08
Totals	\$2,433,924.27	\$1,046,886.48	\$1,285,000.00	\$4,765,810.75

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

President Hallman announced that an executive session would be held following tonight's meeting to review confidential and investigative information relating to the general management report of Keystone Municipal Services with no action being taken this evening.

PLANNING & ZONING COMMITTEE

In Councilman Wilsey's absence, Councilwoman Werner chaired the Planning & Zoning Committee portion of the agenda.

RESOLVED, That, the following Resolution 52-06 re-approving the Vargo Subdivision be adopted:

RESOLUTION 52-06

WHEREAS, Donald and Rose Marie Vargo, owners of tax parcel 35-9-111, have filed a minor subdivision plan for 334 Tohickon Avenue that was previously approved by Borough Council on August 2, 2006; and

WHEREAS, the plan was not recorded within 90 days of the August 2, 2006 resolution, as was required by the August 2 resolution; and

WHEREAS, Borough Council wishes to re-approve this subdivision.

NOW, THEREFORE BE IT RESOLVED by Borough Council of the Borough of Quakertown that the plan dated May 8, 2006 is re-approved subject to the following conditions:

1. That the plan is to be revised to comply with all comments of the Borough Engineer in his letter dated June 27, 2006;
2. That Borough Council grants waivers to sections 506.4.G(2) and 506.4.11 of the Subdivision and Land Development Ordinance of the Borough relating to curb

radius and right-of-way radius that were pre-existing to the creation of the subdivision.

The plan must be recorded in Bucks County within thirty (30) days.

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

REVENUE & FINANCE

RESOLVED, That, Council grants the request of Quakertown Alive! for a contribution of \$15,000 from the 2007 budget year. Motion of Councilman Roberts, seconded by Councilman Rosenberger.

Councilman Roberts indicated that the budget was proposed with \$10,000 designated for Quakertown Alive!, which will be changed to \$15,000 if this motion is adopted.

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

RESOLVED, That, the proposed 2007 Budget be adopted as presented. Motion of Councilman Roberts, seconded by Councilwoman Werner. A roll call vote was taken and the motion carried by majority vote with the following Councilmembers voting in favor: Roberts, Rosenberger, Werner, Williams and Hallman; and the following Councilmember voting against: Zaiser (Councilman Wilsey — absent).

Councilman Roberts read Ordinance 1127 setting the tax rate for 2007 in full.

RESOLVED, That, Ordinance 1127, an Ordinance of the Borough of Quakertown, Commonwealth of Pennsylvania, fixing the tax rate on real estate within the Borough for the fiscal year 2007, be passed finally. Motion of Councilman Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

RESOLVED, That, the following Resolution 50-06, amending the fee schedule, be adopted:

RESOLUTION NO. 50-06

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 include fees for kennel, accident reports and photographs.

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

10. POLICE FEES:

Kennel Fee	\$15.00/night
Accident Reports	\$15.00
Photograph(s)	\$20.00/print or \$40.00/CD-Rom with multiple images

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

RESOLVED, That, reading of Ordinance 1126, concerning an amendment to the police pension ordinance, be waived. Motion of Councilman Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

RESOLVED, That, Ordinance 1126, an amendment to the Code of Ordinances of the Borough of Quakertown, Chapter 1, Section 415, adding a deferred retirement option to the Borough Police Pension Plan Ordinance, be passed finally. Motion of Councilman Roberts, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

RESOLVED, That, the following Resolution 49-06 setting the meeting dates for Borough Council in 2007 be adopted:

RESOLUTION NO. 49-06

RESOLVED, That, the Council of the Borough of Quakertown will conduct regular meetings on the following dates: January 3, February 7, March 7, April 4, May 2, June 6, July 3, August 1, September 5, October 3, November 7 and December 5, 2007. The meetings will be held in Council Chambers on the second floor of Borough Hall, commencing at 7:30 p.m. on said dates; and

BE IT FURTHER RESOLVED, That, the Council of the Borough of

Quakertown will hold Work Sessions on the following dates: Monday, January 22, February 26, March 26, April 23, May 21, June 18, July 23, August 27, September 24, October 22 and November 26, 2007. The meetings will be held in Council Chambers on the second floor of Borough Hall commencing at 7:30 p.m. on said dates.

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

RESOLVED, That, the Borough Council President be authorized to appoint up to two individuals to assist the School District in choosing a new superintendent. Motion of Councilman Roberts, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

President Hallman asked if anyone on Council would like to participate in the choosing of a new superintendent. Councilwoman Werner expressed interest in participating.

President Hallman appointed Councilwoman Elfriede Werner to assist the School District in choosing a new superintendent.

HEALTH, SAFETY & WELFARE COMMITTEE

Councilwoman Werner stated that there aren't any items for action or report under the Health Safety & Welfare Committee.

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, reading of Ordinance 1128, increasing the electric rates, be waived. Motion of Councilman Rosenberger, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

RESOLVED, That, Ordinance 1128, an amendment to the Code of Ordinances of the Borough of Quakertown, Chapter 7, Sections 202 through 207, changing the billing schedule for electric rates in the Borough of Quakertown, and deleting Chapter 7, Section 209, be passed finally. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion to adopt Ordinance 1128 was defeated (vote was not unanimous) with the following Councilmembers voting in favor: Roberts, Rosenberger, Werner, Williams and Hallman. Councilmember Zaiser voted against the Ordinance. (Councilman Wilsey — absent).

President Hallman indicated that because the vote on the first reading was not unanimous, Ordinance 1128 will again be considered at the next regular meeting of

Council.

RESOLVED, That, Council authorizes the proper Borough officials to sign an agreement with Benchmark Analytics for professional services of laboratory testing at the Wastewater Treatment Plant covering the period of January 1, 2207 thru December 31, 2008. Motion of Councilman Rosenberger, seconded by Councilwoman Werner.

Under discussion, Councilman Zaiser asked if the laboratory testing falls under professional services. President Hallman indicated that it does.

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

PUBLIC WORKS COMMITTEE

Council reviewed the proposed street improvements for 2007, which included: Rosemont Drive from Tenth Street to the end; Fourth Street from Juniper Street to Park Avenue, Penrose Street from Tohickon Avenue to the northern Borough line; Alan Lane from Broad Street to the end and Cedar Crest Drive from Third Street to Fifth Street.

RESOLVED, That, Council approves the proposed street improvements for 2007. Motion of Councilman Zaiser, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

Manager Woglom stated that a request has come from the County to extend the Household Hazardous Waste Collection Program for another three years at a cost of \$1,161.03 per year for a three-year total of \$3,483.09.

RESOLVED, That, funds be allocated as requested for the Bucks County Household Hazardous Waste Collection Program. Motion of Councilman Roberts, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

PARKS & RECREATION COMMITTEE

RESOLVED, That, Council grants the request of the Middle Atlantic States Collegiate Athletic Conference to conduct a tournament in Memorial Park Stadium on May 4 - 6, 2007. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried (Councilmember Wilsey — absent).

RESOLVED, That, Council grants the request of the Richland Area Softball Association to use the Memorial Park softball field from March 1 to July 31, 2007. Motion

of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

RESOLVED, That, the following Resolution 51-06, concerning the planning for the future uses of the former Krupp Foundry site, be adopted:
Resolution No. 51-06

WHEREAS, the Borough of Quakertown owns approximately 15.3 acres on the north side of Mill Street (that was environmentally remediated by the state) adjacent to Memorial Park that currently is open space without any specific use; and

WHEREAS, the Borough wishes to move ahead with planning for the future use of this land.

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

3. The Borough will proceed with the planning of the future of the 15.3 acres adjacent to Memorial Park by appointing a Park Planning Committee to review, analyze and make recommendations to Council. This Committee shall be appointed by the Borough Council President in the first quarter of 2007. The Borough shall also appoint a Landscape Architect to work with the Committee.
4. The uses of the 15.3 acres will be passive park uses consistent with the existing uses in the adjacent Memorial Park, such as (but not limited to) landscaping, open space, walking paths and construction of a bandshell. Additionally, the plan for the front three acres (bounded by Mill Street to the south, the railroad to the east, the Borough/Township line to the north and the Fourth Street extension to the west) shall not include any kind of permanent structure or building for the time being.

Motion of Councilman Williams, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

President Hallman declared the meeting adjourned at 8:05 p.m.

President Hallman reminded Council that an executive session will be held following tonight's meeting.

BOROUGH OF QUAKERTOWN

President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary