

July 5, 2006

A regular meeting of the Borough Council was held July 5, 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.

RESOLVED, That, the Minutes of June 7, 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 Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

CHECKS #

53095 — 53316

\$1,873,842.79

RESOLVED, That, the Treasurer's Report for June 2006 be received and spread on the minutes. Motion of Councilman Roberts, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

Treasurer's Report June 30, 2006

Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$ 20,491.89	\$ 4,900.82	\$ 785,000.00	\$ 810,392.71
Water	581,222.15	4,523.47	250,000.00	835,745.62
Sewer	413,116.67	4,002.71	250,000.00	667,119.38
General	10,002.83	2,046.12		12,048.95
Payroll	200.00			200.00
Payroll Withholding	28,886.34			28,886.34
Debt Service Reserve		1,947.59		1,947.59
Fire Equipment		24,894.00		24,894.00
Recreation Fund	22,591.46			22,591.46
PA Motor License	152,113.40	585.20		152,698.60

Sinking Fund	(22,168.73)	3,622.21	300,000.00	281,453.48
1999-01 Equipment Replacement	365,157.89			365,157.89
Totals	\$1,571,613.90	\$ 46,522.12	\$1,585,000.00	\$3,203,136.02

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 (Councilman Wilsey — absent).

Councilman Hallman indicated that a special executive session will be held following tonight’s meeting with regard to interviewing a consulting firm to evaluate the operational procedures of the Borough Manager.

PLANNING & ZONING COMMITTEE

Councilman Roberts chaired the Planning & Zoning Committee portion of the agenda in Councilman Wilsey’s absence.

RESOLVED, That, first reading of Ordinance 1122 accepting easements in the THP development called Wedgewood Place 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 1122, an Ordinance authorizing the Borough Council of the Borough of Quakertown to accept seven storm drainage easements, an utility and access easement, a sanitary sewer easement, a varied width drainage easement (along stream), Road “A” and open space all in Wedgewood Place, the Borough of Quakertown, Bucks County, Pennsylvania, 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, Council authorizes the Borough Manager to send a draft of the proposed amendment to the Zoning Ordinance to the Quakertown Planning Commission and the Bucks County Planning Commission as requested by the Upper Bucks YMCA. Motion of Councilman Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

REVENUE & FINANCE COMMITTEE

Councilman Roberts announced that the Upper Bucks YMCA requested that Council

hold a public TEFRA hearing. President Hallman declared the TEFRA hearing will be held on July 24th at 7:30 p.m. in Council Chambers. The hearing will be advertised.

RESOLVED, That, the following Resolution 38-06, concerning a possible reapportionment of School District Representatives, be adopted:

Resolution 38-06

WHEREAS, other municipalities in the Quakertown Community School District have proposed to the District that the current regional representation of Directors be apportioned in some way; and

WHEREAS, Borough Council is concerned over maintaining representation on the School Board that is fair to all residents of the School District.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Quakertown to encourage the Directors of the Quakertown Community School District to consider any and all aspects of a possible reapportionment of School District representation so that such reapportionment is fair, and to request that the District notify all municipalities of any and all meetings, studies and deliberations that take place in the future concerning this issue.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That Council grants the request of the Halloween Parade Committee to conduct the Halloween Parade on October 22 (rain date October 29), and to close the downtown triangle parking lot and the following streets between 12:30 p.m. and 5:00 p.m.:

1. Juniper Street from Fourth to Eleventh Streets.
2. Broad Street from Eleventh to Third Streets.
3. Fifth, Sixth, Seventh and Eleventh Streets from Broad Street to Park Avenue.

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

PUBLIC UTILITIES COMMITTEE

Councilman Rosenberger indicated that there aren't any items for action under the Public Utilities Committee.

PUBLIC WORKS COMMITTEE

RESOLVED, That, Council authorize the Borough Manager to have handicapped ramps constructed at the intersection of Seventh and Juniper Streets. Motion of Councilman Zaiser, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried (Councilman Wilsey — absent).

RESOLVED, That, the following Resolution 39-06 awarding the bid for trash disposal be adopted:

RESOLUTION NO. 39-06 ACCEPTING BID AND AWARDING CONTRACT TO CHRIN BROTHERS, INC.

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Chrin Brothers, Inc. of Easton, Pennsylvania, in the following amounts:

(Year 1) Aug. 1, 2006 - July 31, 2007 — \$66.00/ton
(Year 2) Aug. 1, 2007 - July 31, 2008 — \$69.30/ton

for trash disposal as per bid opened June 30, 2006, is hereby accepted. The contract is awarded to Chrin Brothers, Inc. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

PARKS & RECREATION COMMITTEE

RESOLVED, That, Council grant the request of St. Paul's Church to use Memorial Park on September 24 to hold a combined service and picnic. Motion of Councilman Williams, seconded by Councilman Roberts.

Councilman Williams asked if they are using their own bandshell? Manager Woglom indicated that, if approved, the approval letter he will send them will point out that if they wish to use their own bandshell there is no problem, but they need to coordinate the logistics with us.

A roll call vote was taken and the motion was unanimously carried (Councilman

Wilsey — absent).

RESOLVED, That, Council grant the request for the Borough to sponsor a Music Jam in Memorial Park on July 15, including the waiving of the bandshell fee and payment of \$300 toward the cost of the sound system. Motion of Councilman Williams, seconded by Councilman Zaiser.

President Hallman stated that he has noticed that this has already been advertised without mentioning sponsorship. He further indicated that he heard that there was some discussion regarding the group involved that they were going to cover the \$300 cost toward the sound system. Councilman Zaiser indicated that he has not heard that they were going to cover the \$300. Councilman Rosenberger asked if the waiving of the bandshell fee was specifically addressed. President Hallman indicated that it was not, but was implied by the Borough sponsoring the event. President Hallman pointed out that with the Borough sponsoring the event, the group will not be required to have proof of insurance coverage, it comes under the Borough's insurance policy. President Hallman stated that he has no problem with the concept, but does not like to be put into a position to have to sponsor the event. Councilman Rosenberger stated that it was made clear that this would be a one-time sponsorship. President Hallman stated that he had suggested contacting other municipalities for co-sponsorship since this is a Quakertown community event and not exclusively a Quakertown Borough event. Councilman Zaiser indicated that he has contacted other municipalities, but has not heard back from them regarding being a co-sponsor. Councilman Zaiser reiterated Councilman Rosenberger's statement that this is a one-time sponsorship and that he doesn't feel they will have a problem in the future with getting sponsorship.

A roll call vote was taken and the motion was carried by majority vote with the following Councilmembers voting in favor: Roberts, Rosenberger, Werner, Williams, and Zaiser; the following Councilmember voting against: Hallman. (President Hallman indicated that while he is in favor of the concept, he is not in favor of being the sole sponsor.) (Councilman Wilsey — absent).

RESOLVED, That, Council grant the request of Quakertown Midget Football to pour a concrete floor under their existing pavilion. Motion of Councilman Williams, seconded by Councilman Roberts.

Councilman Rosenberger questioned whether this item was discussed at the Work Session. It was pointed out that the request is dated June 28th. Councilman Rosenberger stated that in the future if the request comes after the work session, it should go to the next month's work session. Manager Woglom stated that if Council wishes, he will start doing that.

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

Councilman Williams reported that Community Day in the Park went very well.

Councilman Zaiser indicated that he had noticed that there are three dead trees between the pool and the one baseball field, and asked if there are any plans to take them down? Manager Woglom will look into it.

President Hallman declared the meeting adjourned at 8:00 p.m.

BOROUGH OF QUAKERTOWN

Dennis A. Hallman
President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary

July 24, 2006

A special meeting of the Borough Council was held on July 24, 2006, 7:30 p.m.

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

President Hallman indicated that the first order of business is the TEFRA hearing for the Upper Bucks YMCA. President Hallman declared the hearing open and turned it over to Councilman Roberts.

Councilman Roberts:

Thank you, Mr. President. The hearing, which, in this case, proceeds a series of financial acts that the YMCA will be undertaking through the Nockamixon Bucks Industrial & Commercial Development Authority. The Authority request will be that the municipality in

which the project will take place shall make a public statement that the municipality believes that this project is in the best interest for the betterment of the community for the items that it is supposed to be doing, all of which are positive. The YMCA being in Quakertown Borough, it would be incumbent upon Borough Council to make that public statement. That is what the hearing is about. Also the hearing is to hear if there is anything negative about the project as well for Council to take into consideration. Mr. Shelly, would you like to add anything?

Steven Shelly:

My name is Steven Shelly. I'm an attorney. I represent the Nockamixon Bucks Industrial & Commercial Development Authority. I've circulated what we require to complete this project. One of the aspects of the completion of this projects is an approval by Borough Council indicating that we have come before Borough Council, there's been a publicly advertised meeting (we're at it tonight), ready to receive any comments and your approval. It's a pro-forma type thing, your approval does not waive any zoning requirements, does not waive any fees, does not guarantee anything on behalf of the Borough with respect to this project. Essentially what is happening is that the Upper Bucks YMCA called me to work with the Authority who provides tax-free financing and the Authority is receptive to that idea and this is the approval that needs to be secured and submitted with an application to go and get approvals from the Nockamixon Township and the Nockamixon Authority. Quakertown is involved with being the host community and that is why we are here. The amount of money involved is \$3.2 million dollars for the acquisition of property on Fairview Avenue for the YMCA facility.

Councilman Roberts:

Is anyone present wishing to speak with regard to this project, now is the time to raise your hand. (No one responded.) The only obligation the Borough is committing itself to is saying that it is a good idea, no financial strings are attached, no taxpayer dollars are involved from Quakertown. Does anyone on Council have any comments? (No response.) Mr. President, the hearing can be closed.

President Hallman:

There being no other comments, the TEFRA hearing portion of the meeting is now closed.

RESOLVED, That, approval be given to the YMCA Project and authorize the President of Council to sign the proper document. Motion of Councilman Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

President Roberts indicated that Council has received an Internal Management Review proposal from Keystone Municipal Services of Morton, Pennsylvania, which Council is going to consider approving this evening. Council had previously met in executive sessions with various companies regarding review services.

RESOLVED, That, Council approves the proposal submitted by Keystone Municipal Services to conduct an internal management review for the Borough of Quakertown at a cost not to exceed \$30,000.00. Motion of Councilman Roberts, seconded by Councilman Wilsey.

Councilman Zaiser indicated that he was contacted by a local daily newspaper asking why this item was not placed on the advance Agenda that was on the Borough website on Friday. Councilman Zaiser asked if there is an answer to that question? Manager Woglom stated that the posted website agenda is subject to change and that he had discussed it with the President today and that he was requested to place it on the printed agenda tonight. Councilman Roberts stated that the Manager had published the advertisement for it and indicated that he is disappointed that it was not on the agenda earlier. Councilman Roberts stated that he hopes that this is not detected by others as a stone-walling procedure on the part of Council that the public did not know this was going to be voted on this evening.

Councilman Zaiser stated that he is in favor of this motion and that an evaluation of operating procedures is necessary. He further indicated that he hasn't seen anything in reviewing this that convinces him that spending the extra taxpayer money to review the Borough Manager is necessary and feels that different directions should be looked into. Councilman Roberts stated that he feels when this proposal is a completed document, it will provide a very valuable tool for the Borough Council to know what should be changed, directed or improved. Councilman Rosenberger pointed out that there are no local ties with this firm and that he feels that they are large enough to be objective. Councilman Rosenberger asked if there was a time-frame suggested? Councilman Roberts stated that the goal is to receive the report by October.

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

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

BOROUGH OF QUAKERTOWN

Dennis A. Hallman
President of Council

Attest:

David L. Woglom
Borough Secretary