

A regular meeting of the Borough Council was held September 3, 2008, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Councilmembers Michael Johnson, Michelle Scarborough, Edward Scholl, Daniel Williams, and David Zaiser, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Phyllis R. Ewing.

RESOLVED, That, the Minutes of July 2, July 28 and August 6, 2008, be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following check registers be approved for payment:

August 1, 2008	—	\$ 25,823.93
August 1, 2008	—	\$199,043.82
August 10, 2008	—	\$ 4,485.50
August 19, 2008	—	\$102,712.57
August 20, 2008	—	\$228,289.57
September 4, 2008	—	\$ 5,542.23

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

Visitors:

H. C. Dewey, 117 Washington Court, stated that he wishes to speak with regard to the electrical boxes and the trash building up in his neighborhood, milling and surfacing of Independence Place and Resolution 5-07.

Ronald Myers, 105 Madison Court, indicated he is present in support of Mr. Dewey.

Kevin Wright, 28 N. Ambler Street, indicated that he wishes to speak with regard to the increase in electric. Mr. Wright told Council that he works with the state of New Jersey and they deal with technologies and perhaps there is some way to cooperate and do some type of educational thing for the community, and make people aware of some subsidies and grants that were recently approved. President Roberts told Mr. Wright that he could speak under the Public Utilities Committee portion of the Agenda.

Since time was limited for Mr. Dewey, the Public Utilities Committee was dealt with first under the agenda.

## **PUBLIC UTILITIES COMMITTEE**

Councilwoman Scarborough told Mr. Dewey that he could speak at this time.

Mr. Dewey presented pictures of transformers in his neighborhood, that borders his property, where there are trees, fallen branches and weeds growing. Mr. Dewey pointed out that he and his neighbors are working to clean up their area of town and that they would like to paint the transformers, all they need is the paint. Mr. Dewey also asked about milling, re-paving and speed humps to be placed on Independence Place. He told Council that he was told a year ago that there was \$104,000 in grant money approved and asked when this is going to happen?

Manager McElree stated that with regard to the transformers, this is on the work list for the Electric Department. Manager McElree stated with regard to the issue on the re-paving, the grant involved is the CDBG and word has been received, a couple of weeks ago, that the grant is 95% approved. Manager McElree pointed out that there are two projects under this grant: one to re-pave Independence Place, put the speed humps in and the other deals with stormwater at the skating pond. Manager McElree stated that both projects have been accepted and are 95% approved. Manager McElree stated that we believe this work will be done in the Spring.

Mr. Dewey asked when the new utility billing will take place? Manager McElree indicated that the new utility software is being phased in and it is expected to be fully operational by 2009.

Mr. Myers indicated that he is in support of Mr. Dewey and just wants to point out the need for speed humps in that area.

Mr. Wright was told he could speak at this time. Mr. Wright told Council that he works as a Program Inspector and an Electrical Inspector for the State of New Jersey with their Corps program, which is a subsidized program for installation of solar/wind turbines, biomass-cogen and hydrogen fuel cells. Mr. Wright stated that the biggest obstacle with utilities and rate hikes is people don't understand where the price of utilities is going. Mr. Wright indicated that he feels Quakertown is in a unique position whereas they buy their power for a long period of time and as a group. Mr. Wright proposed getting out educational information about the basic things people can do and additional steps they could take whether thru the Borough web site, the Borough Newsletter or information available at the Borough building. Mr. Wright indicated that he also has a long-term plan that he would like to work with someone from the Borough on. President Roberts asked Mr. Wright to present his thoughts to the Borough Manager in writing. Mr. Wright indicated he would present a flow chart to the Manager. President Roberts stated that after it is reviewed by the Manager, it will be placed on an agenda for Council discussion.

Manager McElree stated that he had spoken with Jim Hravilla of Quad 3 about trying to sponsor an electrical energy seminar for residents, solar energy could be included as a segment. Manager McElree pointed out that October 15<sup>th</sup> is the target date for the Borough community

channel and that it will be a good media to get information out to the residents.

### **PLANNING & ZONING COMMITTEE**

Councilman Scholl stated that there aren't any items for action under the Planning & Zoning Committee.

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 112-08, approving engineering services for the Electric Department building project, be adopted:

#### **RESOLUTION NO. 112-08**

WHEREAS, Resolution 95-08 directed the Borough Manager to receive and advertise bids for the construction of an addition to the Electric Department storage facility to include an office area, locker/break room facilities and a meter testing room; and

WHEREAS, engineering services will be required in order to obtain bids for the addition.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown accepts Cowan Associates proposal, as revised July 2, 2008, in the amount of \$28,500.00 to provide engineering services for the Quakertown electric building addition.

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

RESOLVED, That, the following Resolution 113-08, directing the Borough Manager to research a study of the operations and administrations of the Fire Department, be adopted:

#### **RESOLUTION NO. 113-08**

WHEREAS, in conjunction with the intent of Act 8 of 2008, which amends the Borough Code relative to emergency services, the Borough Council desires to have a study of the operations and administration of the Quakertown Fire Department performed;

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, directs the Borough Manager to research the possibility of procuring a study of the operations and administration of the Quakertown Fire Department.

Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough.

Councilman Rosenberger asked with the budget season upon us, is Council going to be able to look at the books of the Fire Department? Manager McElree answered that yes they will. Councilman Rosenberger asked if they will prepare full financial statements? Fire Department Chief Wilhelm stated that there are four sets of books – Quakertown Fire Department's Financial Records (the one all fiscal money comes into), Quakertown Fire Department (Firemen Relief Association, which is audited by the State), Station 17 (Quakertown) Financials and Station 18 (West End) Financials.

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

RESOLVED, That, the following Resolution 114-08, disbursing \$40,000 of Fire Capital Funds in October 2008, be adopted:

RESOLUTION NO. 114-08

WHEREAS, Station 17 of the Quakertown Fire Department has requested the disbursement of \$40,000 for the acquisition of emergency services equipment;

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, grants the release, in October 2008, of \$40,000 to the Quakertown Fire Department from the Fire Capital Fund (30) to be used for emergency services equipment..

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

RESOLVED, That, the following Resolution 122-08, changing the date of the September Work Session, be adopted:

RESOLUTION NO. 122-08

RESOLVED, That, the Council of the Borough of Quakertown wishes to change the date of the September Work Session;

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown hereby establishes the date of September 29, 2008 as the date for the Work Session and directs the Borough Manager to follow proper procedure to have this change in date advertised.

Motion of Councilman Rosenberger, seconded by Councilman Williams. A roll call vote was

taken and the motion was unanimously carried.

Councilman Rosenberger made the following announcement: The Borough's Minimum Municipal Obligation (MMO) for 2009 is \$274,607.00 in the Non-Uniform Pension Plan and \$349,600.59 in the Police Pension Plan.

### **HEALTH, SAFETY & WELFARE COMMITTEE**

RESOLVED, That, the following Resolution 115-08, approving the request of the Coopersburg HOG Group to engage in a HOG Toy Run, be adopted:

#### **RESOLUTION NO. 115-08**

WHEREAS, a request was received from the Coopersburg HOG Group to engage in a HOG Toy Run.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, grants the request of the Coopersburg HOG Group to engage in a HOG Toy Run on Saturday, October 11, provided the proper route is followed: Giant Shopping Center to Mill Street, from Mill Street to 9<sup>th</sup> Street, from 9<sup>th</sup> Street to Broad Street, then east on Broad Street.

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

RESOLVED, That, the following Resolution 116-08, closing North Penrose Street for a block party, be adopted:

#### **RESOLUTION NO. 116-08**

WHEREAS, a request was received from Laura Ratushny of North Penrose Street to hold a block party;

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, grants the request of Laura Ratushny to close North Penrose Street between Tohickon and Highland Avenues for a block party on September 20, with a rain date of September 21.

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

RESOLVED, That, the following Resolution 117-08, approving the addition of a third police Corporal, be adopted:

RESOLUTION NO. 117-08

WHEREAS, it is felt that an additional Corporal position in the Quakertown Police Department would allow better utilization of staffing and provide the element of additional supervision;

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, directs the Borough Manager to take the necessary steps to add a third Corporal to the Quakertown Police Department.

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

RESOLVED, That, the following Resolution 124-08, approving the public gathering permit and Borough street closure for Quakertown Alive's Autumn Festival, be adopted:

RESOLUTION NO. 124-08

RESOLVED, That, a request was received for a public gathering permit from Quakertown Alive! to hold their Autumn Alive Festival and Classic Car Show on October 4<sup>th</sup> with street closings of W. Broad Street from Fourth Street to Front Street and also Front Street to Juniper Street.

NOW, THEREFORE, BE IT RESOLVED That the Council of the Borough of Quakertown grants the request of Quakertown Alive! to hold their Autumn Alive Festival and Classic Car Show on October 4, 2008, and to close Borough streets provided approval is received from PennDOT to close Broad Street and also that the Borough is added as an additional insured on their insurance.

Motion of Councilman Johnson, seconded by Councilwoman Scarborough.

A discussion ensued on the street closings with it being pointed out that Broad Street would be closed from Fourth Street to Front Street with the other portion of Broad Street, behind the stores, remaining open. It was stated that there was a problem at the last event with a church group that didn't register with Quakertown Alive!

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

RESOLVED, That, the following Resolution 125-08, approving the request of Quakertown Alive to use the bandshell and waive the fee, be adopted:

RESOLUTION NO. 125-08

WHEREAS, a request was received from Quakertown Alive! to waive the fee for the use of the bandshell at their Autumn Alive Festival and Classic Car Show; and

WHEREAS, Council, in the adoption of Resolution 19-06, reserved the right to waive these fees for certain civic or charitable events, which they deem beneficial to the betterment of the community.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Quakertown Alive! and waives the fee for the use of the bandshell for their event on October 4, 2008.

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

#### **PUBLIC WORKS COMMITTEE**

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

Councilman Zaiser and Manager McElree told Council of preparations in place in the event there is a tropical storm this weekend.

#### **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 118-08, granting the request of Harvest Community Fellowship to use Memorial Park and Bandshell on October 11<sup>th</sup>, be adopted:

#### **RESOLUTION NO. 118-08**

WHEREAS, a request was received from Pastor Robert Uhrich of Harvest Community Fellowship to use Memorial Park and the Bandshell to hold their Harvest/Fall Community Day celebration;

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Harvest Community Fellowship to use Memorial Park and to rent the bandshell for their event on October 11, 2008, provided they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 119-08, granting the request of Relay for

Life to use Memorial Park on May 9 and 10, 2009 be adopted:

RESOLUTION NO. 119-08

WHEREAS, a request was received from the Relay for Life to use Memorial Park for their annual event.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Relay for Life to use Memorial Park for their event on May 9 - 10, 2009.

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

RESOLVED, That, the following Resolution 123-08, granting the request of Relay for Life to waive the bandshell fee for their event, be adopted:

RESOLUTION NO. 123-08

WHEREAS, a request was received from the Relay for Life to waive the fee for the use of the bandshell; and

WHEREAS, Council, in the adoption of Resolution 19-06, reserved the right to waive these fees for certain civic or charitable events which they deem beneficial to the betterment of the community.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Relay for Life to waive the fee for the use of the bandshell for their event on May 9 - 10, 2009.

Motion of Councilman Williams, seconded by Councilman Scholl.

Under discussion, Councilwoman Scarborough questioned the waiving of the fee for this charitable event. Councilwoman Scarborough pointed out that Harvest Community Fellowship is also a charitable event. Councilman Zaiser asked where to draw the line? President Roberts stated that the Borough Code in Section 1202 gives a list that the Borough Council can donate to or provide services for and this event is not listed; but if questioned, Council could be held personally liable.

It was suggested that Council discuss Resolution 19-06 at a work session.

A roll call vote was taken on the above motion and the motion carried by majority vote with the following Councilmembers voting in favor: Rosenberger, Scarborough, Scholl and



Williams; and the following Councilmembers voting against: Johnson, Zaiser and Roberts.

RESOLVED, That, the following Resolution 120-08, granting the request of Pride of the Diamond Sports Group to use the baseball stadium, be adopted:

RESOLUTION NO. 120-08

WHEREAS, a request was received from Pride of the Diamond to use the baseball stadium on Saturdays from September 6<sup>th</sup> - October 25, 2008.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Pride of the Diamond provided that there aren't any conflicts with the Quakertown Stadium Athletic Association and the Borough is added as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 121-08, regarding research and funding for ADA Play Sets from Little Tikes, be adopted:

RESOLUTION NO. 121-08

WHEREAS, the Council of the Borough of Quakertown is interested in the possibility of obtaining ADA Play Sets from Little Tikes provided that funding is obtainable.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown hereby directs the Borough Manager to research all possible funding for ADA Play Sets from Little Tikes and report to Council.

Motion of Councilman Williams seconded by Councilman Zaiser.

Councilman Zaiser stated the Resolution indicates that the Borough Manager is directed to research funding and asked whether Council would have any objection to his working on this as well? Councilmembers did not voice any objection.

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

Councilman Scholl stated that our local ambulance service, St. Luke's, was one of five in Bucks County asked to go to Louisiana to help.

President Roberts declared the meeting adjourned at 9:05 p.m.

BOROUGH OF QUAKERTOWN

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L. James Roberts, Jr.  
President of Council

Attest:

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Phyllis R. Ewing  
Asst. Borough Secretary