

A regular meeting of the Borough Council was held July 1, 2009, 7:30 p.m.

The following members and officers were present: 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.

In President Roberts absence, Vice President Rosenberger presided over the meeting.

RESOLVED, That, the Minutes of June 3, 2009, be approved as written. Motion of Councilman Zaiser, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

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

	June 5, 2009	—	\$ 83,590.76
June 8, 2009	—	520.00	
June 12, 2009	—	134,703.33	
June 18, 2009	—	634.71	
June 19, 2009	—	18,087.24	
June 26, 2009	—	652,275.58	
June 30, 2009	—	223,287.10	
July 2, 2009	—	3,129.05	

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

RESOLVED, That, the Financial Statements for the quarter ending April 30, 2009, be received and filed. Motion of Councilman Williams, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

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

Visitors:

Paul Hartley, 109 Braithwaite Lane, indicated he wished to speak when customer generated electric comes up on the agenda. Vice President Rosenberger stated that he may speak during the Public Utilities Committee portion of the Agenda.

PLANNING & ZONING COMMITTEE

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

REVENUE & FINANCE COMMITTEE

Councilman Scholl chaired the Revenue & Finance Committee portion of the Agenda.

RESOLVED, That, the following Resolution 81-09, purchase of an emergency generator for Borough Hall, be adopted:

RESOLUTION NO. 81-09

WHEREAS, the emergency generator at Borough Hall is in need of replacement;
and

WHEREAS, a quotation was received for a generator with a capacity to handle Borough Hall from two firms; and

WHEREAS, the lowest price quotation was received from Schaedler Yesco of Harrisburg, Pennsylvania, who is a participating Costars company.

NOW, THEREFORE, BE IT RESOLVED, That, the quotation of Schaedler Yesco in the amount of \$32,493.50 for an emergency generator be accepted.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That, to meet the needs of the generator, the quotation of \$2,052.00 from Q-Fence of Telford, Pennsylvania, for fencing and the quotation of \$6,710.00 from AmeriGas of Allentown, Pennsylvania, for purchase of propane tank also be accepted.

Motion of Councilman Scholl, seconded by Councilman Williams.

Councilman Scholl asked when the generator could be installed? Manager McElree stated that upon approval, the actual generator will take 30 to 60 days to deliver. Councilman Scholl asked what will be done with the old generator? Manager McElree indicated that a use will be found for it in the Borough.

A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

RESOLVED, That, the following Resolution 82-09, directing the Borough Manager to send letters to the State Representative and Senator to support state funding for the Main and Elm Street Programs, be adopted:

RESOLUTION NO. 82-09

WHEREAS, there is a need for continued state funding for the Quakertown Alive Main Street and Elm Street Programs.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown directs the Borough Manager to write to the State Representative and Senator to support state funding for the Main and Elm Street Programs.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 77-09 concerning National Night Out, be adopted:

RESOLUTION NO. 77-09

WHEREAS, National Night Out in 2009 is scheduled to be celebrated on August 4, 2009 from 6:00 to 10:00 p.m.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown supports and sponsors the celebration of National Night Out on August 4, 2009.

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

RESOLVED, That, the following Ordinance Resolution 78-09, street closings for National Night Out, be adopted:

RESOLUTION NO. 78-09

WHEREAS, the Council of the Borough of Quakertown adopted Resolution 77-09, supporting and sponsoring the celebration of National Night Out; and

WHEREAS, street closures will be required for the celebration of National Night Out.

NOW, THEREFORE, BE IT RESOLVED, That, Council approves the following street closures, from 5:30 to 8:00 p.m., for National Night Out to be held on August 4,

2009:

Twelfth Street from Juniper to Broad Street
Eighth Street from Juniper to Park Avenue
Erie Avenue from N. Penrose to Elm Street
Naylor Court
Independence Court

BE IT FURTHER RESOLVED, That, Council approves the following street closure from 7:45 to 10:00 p.m., for National Night Out to be held on August 4, 2009:

Mill Street from Fourth Street to Ninth Street

Motion of Councilman Johnson, seconded by Councilman Scholl.

Councilman Rosenberger asked if there is a rain date for National Night Out. Councilman Zaiser stated that the event is rain or shine. Councilman Williams stated that with the bridge out, a lot of people use Elm Street. Councilman Zaiser indicated that Elm Street will be closed towards Penrose so that cars will still be able to get out that corner.

A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

RESOLVED, That, the following Resolution 83-09, regarding a police accreditation consultant, be adopted:

RESOLUTION NO. 83-09

WHEREAS, the Council of the Borough of Quakertown feels it would be advantageous to the Borough of Quakertown to receive state accreditation for the Quakertown Police Department; and

WHEREAS, a proposal was received from Michael Croom, an accreditation manager consultant.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown accepts the proposal of Michael Croom and the Borough Manager is authorized to contact Mr. Croom to schedule his services.

Motion of Councilman Johnson, seconded by Councilman Zaiser.

In discussion, it was pointed out that the expected cost is \$22,000. Vice President Rosenberger stated that a previous Council had approved the accreditation process and Lt. Gaumer was overseeing it and is approximately 50% completed. Vice President

Rosenberger indicated that this Council is not bound by the previous Council's decision. Councilman Zaiser asked whether or not this has to be put out to bid. Manager McElree indicated that it is a professional service and does not require to be put out to bid. Manager McElree stated that the accreditation process has four phases: (1) policies and procedures; (2) Proof stage (proof of compliance); (3) mock assessment and (4) actual assessment.

A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

PUBLIC UTILITIES COMMITTEE

Councilwoman Scarborough stated that the next item on the Agenda is second consideration of Ordinance 1160, which was first considered and defeated, due to lack of a majority vote, at the June 3 meeting.

Mr. Hartley indicated the following concerns in regard to the Ordinance:

- He is encouraged that the Borough is going forward to regulate customer generated electric.
- He is discouraged by the Ordinance as there isn't anything of a positive nature to encourage people.
- According to the Ordinance, if you build up credits by generating more than your use, at the end of the month you lose it.
- Suggested that the Ordinance should allow credits to be carried over until the end of the year.
- Consider inspection every three or four years.
- Would hope that the connection fee would be more in line with what PPL and PECO charge.
- Asked that Ordinance 1160 be tabled tonight and researched further.

Manager McElree stated that, at this point in time, Council is not aware as to how many residents will be interested and wishes to move conservatively.

Vice President Rosenberger stated that if it is found that we don't need annual inspections, that section may be modified in the future.

RESOLVED, That, reading of Ordinance 1160, establishing rules and regulations for

customer generated electric, be waived. Motion of Councilwoman Scarborough, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

RESOLVED, That, Ordinance 1160, an amendment to the Code of Ordinances of the Borough of Quakertown, Chapter 7, adding Sections 701 through 712 establishing rules and regulations for customer generated electrical service, be passed finally. Motion of Councilwoman Scarborough, seconded by Councilman Scholl.

Councilman Zaiser stated that he agrees with Mr. Hartley and that he would table Ordinance 1160, but knows that it would not receive a second. Councilman Zaiser stated that he would like to see some changes made as far as the interconnection fee.

A roll call vote was taken and the motion carried by majority vote with the following Councilmembers voting in favor: Johnson, Scarborough, Scholl, Williams and Rosenberger; and the following Councilmember voting against: Zaiser (President Roberts absent).

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 79-09 awarding the lawn mowing bid, be adopted:

RESOLUTION NO. 79-09 ACCEPTING BID AND AWARDING CONTRACT TO RAHN-LAWN & LANDSCAPE, INC.

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Rahn-Lawn & Landscape, Inc. of Quakertown, PA, in the amount of \$78,138.00 for Lawn Maintenance for the years 2010 thru 2012 as per bid opened May 19, 2009, is hereby accepted. The contract is awarded to Rahn-Lawn & Landscape, 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 Johnson. A roll call vote was taken and the motion was unanimously carried (President Roberts absent).

Councilman Zaiser stated that it was in the news that Chrin Brothers is having problems with their landfill. Councilman Zaiser stated we are not using Chrin Brothers now, but would like to see a social responsibility clause that there is no problem with the landfill or trash disposal on these properties in the specifications and contract for trash disposal.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 80-09, request to hold a Crop Walk by Church World Service, be adopted:

RESOLUTION NO. 80-09

WHEREAS, a request was received for a public gathering permit from the Church World Service to hold a Crop Walk.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit to the Church World Service for a Crop Walk to be held on October 11, 2009, the route of the walk traverses from Memorial Park throughout the Borough.

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

Councilman Williams reminded Council of the up-coming 4th of July Community Day in the Park.

Vice President Rosenberger asked about Tennis Zone's request to use Borough tennis courts. Manager McElree stated that he met with them and they indicated that they would offer some type of tennis camps free of charge for the Borough. Manager McElree stated that this will be discussed in the future for next year.

Vice President Rosenberger declared the meeting adjourned at 8:40 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
Vice President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary