

A regular meeting of the Borough Council was held August 5, 2009, 7:30 p.m.

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

RESOLVED, That, the Minutes of June 9 and July 1, 2009, be approved as written. Motion of Councilman Johnson, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried (Councilmembers Scholl and Zaiser absent)..

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

July 3, 2009	—	\$ 17,946.58
July 9, 2009	—	85,324.12
July 9, 2009	—	1,698.00
July 17, 2009	—	743,078.86
July 24, 2009	—	40,860.28
July 27, 2009	—	200.00
July 29, 2009	—	297,474.85
July 31, 2009	—	8,841.99
Aug. 7, 2009	—	4,604.10

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

RESOLVED, That, the May and June, 2009 Financial Statements, Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilman Rosenberger, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried (Councilmembers Scholl and Zaiser absent).

Visitors:

Nancy Ross, Pastor of the Quakertown United Methodist Church, offered her services to Council and also indicated that she could give the invocation for Borough meetings. President Roberts thanked her for her offer.

PLANNING & ZONING COMMITTEE

In Councilman Scholl's absence, Councilman Rosenberger chaired the Planning & Zoning Committee portion of the agenda.

RESOLVED, That, the following Resolution 86-09, accepting an Economic Development proposal, be adopted:

RESOLUTION NO. 86-09

WHEREAS, the Borough has received an economic development proposal from Delta Development Group of Mechanicsburg, Pennsylvania to provide consultant services; and

WHEREAS, the Borough of Quakertown proceeded with due diligence in requesting economic development proposals from three consulting firms to receive the finest service and fee.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown wishes to accept the economic development proposal of Delta Development Group, as per their proposal dated June 18, 2009, at a cost not to exceed \$58,568.00.

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

RESOLVED, That, the following Resolution 87-09, regarding the appeal of Faulkner-Ciocca Management, be adopted:

RESOLUTION NO. 87-09

A RESOLUTION APPOINTING THE LAW OFFICE OF
CHARLES J. FONZONE TO INTERVENE IN THE MATTER
OF FAULKNER-CIOCCA MANAGEMENT, L.P. VS. QUAKER-
TOWN BOROUGH ZONING HEARING BOARD IN THE COURT
OF COMMON PLEAS OF BUCKS COUNTY

WHEREAS, on July 9, 2009 the Borough of Quakertown Zoning Hearing Board held a public hearing upon the application of Faulkner-Ciocca Management, L.P.; and

WHEREAS, such application was denied; and

WHEREAS, Faulkner-Ciocca Management, L.P. has appealed such denial to the Court of Common Pleas of Bucks County; and

WHEREAS, the Borough of Quakertown, in order to fully protect its appellants rights, wishes to intervene in support of the Quakertown Borough Zoning Hearing Board.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Quakertown does hereby authorize the law firm of Charles J. Fonzone, Esquire to intervene and pursue this matter to its conclusion.

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

REVENUE & FINANCE COMMITTEE

Councilman Rosenberger stated that there aren't any items for action or report under the Revenue & Finance Committee.

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 84-09, Trinity Evangelical Lutheran Church request for closure of a portion of Erie Avenue for Peach Festival, be adopted:

RESOLUTION NO. 84-09

WHEREAS, a request was received from Trinity Evangelical Lutheran Church to close Erie Avenue for their Peach Festival.

NOW, THEREFORE, BE IT RESOLVED, that Council grants the request of Trinity Evangelical Lutheran Church to close Erie Avenue from Hellertown Avenue to the entrance of the church parking lot on August 12, 2009 from 5 to 10 p.m. (rain date August 13) for their Peach Festival provided they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 90-09, Iglesia Bautista Hispana request for closure of an alley to the rear of 317 Juniper Street, be adopted:

RESOLUTION NO. 90-09

WHEREAS, a request was received from Iglesia Bautista Hispana Quakertown, Inc. to close the alley to the rear of their facility at 317 Juniper Street.

NOW, THEREFORE, BE IT RESOLVED, that Council grants the request of Iglesia Bautista Hispana Quakertown, Inc. to close the alley to the rear of their facility at 317 Juniper Street on Sunday, August 9 from 12:00 p.m. to 5:00 p.m. for a celebration of the completion of Vacation Bible School provided they add the Borough as an additional insured on their insurance.

Motion of Councilman Johnson, seconded by Councilman Rosenberger.

Councilwoman Scarborough asked if the certificate of insurance was received. Manager McElree stated that it has not been received to date and the approval is based on the certificate being received.

A roll call vote was taken and the motion was unanimously carried (Councilmembers Scholl and Zaiser absent).

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 88-09, rejecting bids for the Park Avenue Waterline Crossing at Route 309, be adopted:

RESOLUTION NO. 88-09
REJECTING ALL BIDS
PARK AVENUE WATERLINE CROSSING AT ROUTE 309

WHEREAS, bids were received on July 23, 2009 for the Park Avenue Waterline Crossing at Route 309; and

WHEREAS, the bids received were higher than the year 2009 budget available to the Quakertown Borough Water Department for this project.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Quakertown, That, all bids for the Park Avenue Waterline Crossing at Route 309 are hereby rejected.

Motion of Councilwoman Scarborough, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried (Councilmembers Scholl and Zaiser absent).

PUBLIC WORKS COMMITTEE

In Councilman Zaiser's absence, President Roberts stated that there aren't any items for action or report under the Public Works Committee.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 85-09, East Swamp Church request to use Main Street Park and the Skate Park, be adopted:

RESOLUTION NO. 85-09

WHEREAS, a request was received from East Swamp Church to use Main Street Park and the Skate Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of East Swamp Church to use Main Street Park and the Skate Park for an event, which includes: 3 on 3 basketball tournament, skate contest, live music, free food, special speaker and awards on Saturday, September 26, 2009 provided they add the Borough as an additional insured on the insurance.

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

After some discussion, it was decided to remove Resolution 91-09 regarding the Tennis Zone and Fitness Center's request from the Agenda. Councilmembers questioned what the program consists of and how it benefits the community. Representatives from Tennis Zone were not present at the meeting to answer questions. Councilman Williams indicated that Resolution 91-09 will be discussed at the next Work Session.

President Roberts stated that the weather was conducive for National Night Out. Councilwoman Scarborough indicated that she would like to congratulate the volunteers on an excellent job. Manager McElree stated that National Night Out is successful every year and is growing. Manager McElree told Council that police officers were at every station and also included a K-9 demonstration. Manager McElree stated that the entertainment provided in the park last night was arranged by Alliance for Creative Expressions, young people that volunteered their time and did a great job, it is unbelievable how well they played. Manager McElree also praised the Fire Department volunteers that they did an excellent job with the carnival and assisting the Borough with National Night Out.

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

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary