

A regular meeting of the Borough Council was held April 1, 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, Edward Scholl, Daniel Williams, and David Zaiser, Solicitor Frank Procyk, Manager Scott C. McElree and Asst. Borough Secretary Phyllis R. Ewing.

RESOLVED, That, the Minutes of March 4, 2009, 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:

March 12, 2009	–	\$ 160,231.49
March 20, 2009	–	8,285.17
March 27, 2009	–	118,527.97
March 31, 2009	–	34.00
April 1, 2009	–	1,017,035.63
April 3, 2009	–	4,346.31

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

RESOLVED, That, the Financial Statement, Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of President Roberts, seconded by Councilman Williams.

Councilman Rosenberger asked that the Finance Director give an overview of the Financial Statement at a work session.

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

Visitors:

Tim Johnson, 2385 Devon Drive, indicated that he is President of Quakertown Midget Football and thanked Council for their support. Also present was Phil Ciarrocchi, 1712 Weidner Court, Vice President of Quakertown Midget Football.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 28-09, regarding a regional water resources planning program, be adopted:

RESOLUTION 28-09

WHEREAS, the Quakertown Area Planning Committee (the “QAPC”) is a regional planning committee comprised of members from the Townships of Haycock, Milford, and Richland, the Boroughs of Quakertown, Richlandtown, and Trumbauersville and the Quakertown Community School District (collectively the “Participating Municipalities and School District”);

WHEREAS, the QAPC has operated as an advisory planning committee since 1972, at which time it was established by resolution;

WHEREAS, the QAPC, since its inception in 1972, has undertaken various planning studies and projects related to land use issues affecting the entire Quakertown Area, the most recent of which is the Quakertown Area Comprehensive Plan Update, August 2007;

WHEREAS, the Quakertown Area Comprehensive Plan Update, August 2007, established a recommended action for Participating Municipalities and School District, through the QAPC, to consider undertaking a multi-municipal water resources planning program that may include a comprehensive study of groundwater resources. Such recommendation considered public input where residents surveyed indicated that groundwater protection is one of the most important issues in planning for the future of the Quakertown Area.

WHEREAS, under provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, municipalities are directed to consider water facilities in municipal comprehensive planning, zoning, and the development review process.

WHEREAS, the QAPC, as the advisor group to the Participating Municipalities and School District, would like to pursue implementing the recommended action to develop a regional water resources planning program for the Participating Municipalities and School District. Future outcomes of such program could include, but may not be limited to, planning tools such as a source water protection plan and a model water resources management ordinance.

WHEREAS, the Borough of Quakertown supports, in principle, the development and continued discussion of said multi-municipal program, whereby any and all recommendations developed during the multi-municipal planning policy are in compliance with all current and future DRBC rules and regulations; and wishes to participate in the discussions and development of said multi-municipal program.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Borough Council of the Borough of Quakertown hereby agrees, through representation in the QAPC, to participate in developing multi-municipal water resources planning policy recommendations. Such agreement is not a monetary commitment beyond general

planning services requested of the staff of the Bucks County Planning Commission, the existing QAPC planning consultant.

AND BE IT FINALLY RESOLVED that this Resolution shall be effective immediately.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 29-09, regarding the request of Upper Bucks Forum on Aging, be adopted:

RESOLUTION 29-09

WHEREAS, a request was received regarding the posting of the Upper Bucks Forum on Aging to be held May 1, 2009 at Benner Hall in Richlandtown, Pennsylvania; on the Borough website and bulletin boards; and

WHEREAS, the Borough Council supports the concept of the event and encourages the Borough's residents to participate and make an effort to attend.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants the request for the posting of the Upper Bucks Forum on Aging event on the Borough website and bulletin boards.

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

RESOLVED, That, the following Resolution 30-09, regarding funding for Quakertown Clean-up Day, be adopted:

RESOLUTION NO. 30-09

WHEREAS, the Council of the Borough of Quakertown wishes to declare April 25, 2009 as Quakertown Clean-up Day; and

WHEREAS, funding in the amount of \$2,000 for plantings, trees, shrubs and flowers is needed.

NOW, THEREFORE BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown declares April 25, 2009 as Quakertown Clean-up Day in which a

group of volunteers will clean trash from Borough owned properties.

BE IT FURTHER RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes funding in the amount of \$2,000 through the Borough's contingency fund.

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

RESOLVED, That, the following Resolution 31-09, regarding St. Luke's Quakertown Hospital's request for letters of support, be adopted:

RESOLUTION 31-09

WHEREAS, a request was received for letters of support with regard to St. Luke's Quakertown Hospital applications for grants.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown wishes to approve letters in support of St. Luke's Quakertown Hospital in their grant requests involving energy conservation measures, such as replacing mechanical infrastructure and windows, applying solar energy technology, and to modernize their cardiovascular and interventional radiology program.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 32-09, regarding the creation of a traffic specialist officer, be adopted:

RESOLUTION NO. 32-09

WHEREAS, a Traffic Specialist Officer would be a useful addition to the Quakertown Police Department; and

WHEREAS, the position of Traffic Specialist Officer would not be a promotion and would not involve an increase in pay rate.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with the creation of a Traffic Specialist Officer in the Quakertown Police Department.

Motion of Councilman Johnson, seconded by Councilman Rosenberger.

Councilman Rosenberger asked the Manager if he is still interviewing for a Traffic Specialist Officer? Manager McElree stated that Officer Mark Watkins has been assigned to the position of Traffic Specialist Officer.

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

RESOLVED, That, the following Resolution 40-09, regarding bicycles to the Boy Scouts, be adopted:

RESOLUTION NO. 40-09

WHEREAS, every year the Quakertown Police Department obtains a number of bicycles that cannot be identified and returned to owners; and

WHEREAS, the Quakertown Boy Scout Troop 55 could use funds obtained by their refurbishing and auctioning of the bicycles to fund their expenses for sending their scouts to camp during the summer.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Quakertown Police Department to release the bicycles to Boy Scout Troop 55.

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

RESOLVED, That, the following Resolution 41-09, regarding the American Legion's request to conduct the Memorial Day Parade on May 25, be adopted:

RESOLUTION NO. 41-09

WHEREAS, a request was received for a public gathering permit from the Quakertown American Legion.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit to the Quakertown American Legion for the Memorial Day Parade to be held on May 25, 2009, provided they add the Borough as an additional insured on the insurance.

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

RESOLVED, That, the following Resolution 44-09, regarding mosquito control, be

adopted:

RESOLUTION NO. 44-09

WHEREAS, the Borough Council of the Borough of Quakertown is desirous of helping to reduce the spread of the West Nile Virus.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants permission to the Bucks County Department of Health to treat Borough properties for mosquito control.

Motion of Councilman Johnson, seconded by Councilman Rosenberger.

Under discussion, Councilman Zaiser asked what chemicals they are using? Councilman Johnson and Manager McElree explained the chemicals involved in the County mosquito control. Councilwoman Scarborough requested that the MSDS sheets be placed on the website. Manager McElree indicated that he could put a link in the website.

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

RESOLVED, That, the following Resolution 42-09 appointing a Corporal in the Quakertown Police Department, be adopted:

RESOLUTION NO. 42-09

WHEREAS, the Quakertown Police Department performed a Police Corporal promotional process that adhered to the Borough of Quakertown Civil Service Rules and Regulations; and

WHEREAS, Police Officer Harold Gross, III scored the highest total score.

NOW, THEREFORE, BE IT RESOLVED, That, Council appoints Harold Gross, III as a Corporal in the Quakertown Police Department.

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

Borough Manager/Chief of Police McElree introduced Corporal Gross to Council and gave a brief history of Corporal Gross' background. Manager McElree explained the selection process. Manager/Chief McElree pinned the Corporal shield on Corporal Gross. President Roberts indicated that he was impressed when he saw a film on portions of the selection process and praised the level of leadership in the Quakertown Police Department.

A majority of Quakertown's police force attended the meeting appointing Corporal Gross including a Richland Township Officer.

PUBLIC UTILITIES COMMITTEE

Councilwoman Scarborough stated that proposed Ordinance 1158 regarding a budget plan for commercial electric customers has been advertised.

RESOLVED, That, reading of Ordinance 1158, regarding a budget plan for commercial electric customers, be waived. Motion of Councilwoman Scarborough, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Ordinance 1158, an amendment to the Code of Ordinances of the Borough of Quakertown, Chapter 7, Sections 204, 1(a), and 205, 1(c), adding a budget plan to commercial service rate schedules CD and CH, be passed finally. Motion of Councilwoman Scarborough, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 37-09, awarding the bid on the electric building addition, be adopted:

RESOLUTION NO. 37-09 ACCEPTING BID AND AWARDING CONTRACT TO KISTLER POLE BUILDING COMPANY

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Kistler Pole Building Company of Fogelsville, Pennsylvania, in the amount of \$317,811.00 for electric building addition, including alternate #1, as per bid opened March 19, 2009, is hereby accepted. The contract is awarded to Kistler Pole Building Company. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

RESOLVED, That, the following Resolution 39-09, awarding the bid for a sewer plant grit washer, be adopted:

RESOLUTION NO. 39-09 ACCEPTING BID AND AWARDING CONTRACT TO BDU CORPORATION

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of BDU Corporation of Souderton, Pennsylvania, in the amount of \$14,069.00 for sewer plant grit washer as per bid opened March 17, 2009, is hereby accepted. The contract is awarded to BDU Corporation. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

RESOLVED, That, the following Resolution 46-09, regarding an agreement with the Bucks County Water & Sewer Authority, be adopted:

RESOLUTION NO. 46-09

WHEREAS, Borough Council of the Borough of Quakertown wishes to enter into an agreement with Bucks County Water and Sewer Authority.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes the Borough Manager to sign an agreement with the Bucks County Water and Sewer Authority, which includes connection to the Authority's sanitary sewer collection system, conveyance of Erie Road Pump Station to the Borough, conveyance of an access easement and a blanket easement to Bucks County Water & Sewer Authority.

Motion of Councilwoman Scarborough, seconded by Councilman Johnson.

Councilman Zaiser questioned the portion of the agreement stating "...if the average daily flow produced by the Borough wells and deposited into the Authority Sewer system exceeds 5,000 gallons per day...", if it shouldn't say 10,000 gallons? Manager McElree explained that any amount of capacity over 5,000 gallons, will be delivered to BCW&SA in the form of capacity from the Borough side of the capacity and will not involve a monetary exchange for any additional capacity.

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

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 43-09, awarding the bid for CDBG Project #1, be adopted:

**RESOLUTION NO. 43-09
ACCEPTING BID AND AWARDING CONTRACT TO
HARRIS BLACKTOPPING, INC.**

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Harris Blacktopping, Inc. of Yardley, Pennsylvania, in the amount of \$38,669.00 for resurfacing of Independence Place (CDBG Project #1) as per bid opened March 3, 2009, is hereby accepted. The contract is awarded to Harris Blacktopping, 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.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 33-09, regarding Richland Court Homeowners Association use of a hot air balloon in Memorial Park, be adopted:

RESOLUTION NO. 33-09

WHEREAS, a request was received from the Richland Court Homeowners Association to allow the use of a hot air balloon in Memorial Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Richland Court Homeowners Association allowing the use of a hot air balloon in Quakertown Memorial Park at their Richland Court Community Day on May 23, 2009, provided they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 34-09, regarding Quakertown Youth Baseball Association holding a Flea Market in Memorial Park, be adopted:

RESOLUTION NO. 34-09

WHEREAS, a request was received from the Quakertown Youth Baseball Association to use Memorial Park for a flea market.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Quakertown Youth Baseball Association to hold a flea market in Memorial Park on June 6, 2009. 8:00 a.m. to 12:00 noon, provided they add the Borough as an additional insured on their insurance.

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

Mike Schaefer, 3248 Berry Brow Drive, Chalfont, and Kevin Filoon, 1337 Wildflower Way, Quakertown, were present to answer questions on their request to use the baseball fields. They told Council that they have held this baseball camp in New Britain Township for 7 years.

Councilman Rosenberger asked if this is for profit. Mr. Schaefer indicated that it is for profit. Councilman Rosenberger questioned use of the fields and maintenance costs. Manager McElree indicated a maintenance agreement can be obtained.

RESOLVED, That, the following Resolution 35-09, regarding the use of the Quakertown Sports Complex for an instructional summer baseball camp, be adopted:

RESOLUTION NO. 35-09

WHEREAS, a request was received from Mike Schaefer's Gold Glove Baseball Camp to use Memorial Park baseball fields for an instructional summer baseball camp.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Mike Schaefer's Gold Glove Baseball Camp to use Memorial Park baseball fields from June 29, 2009 through July 2, 2009 , 9:30 a.m. to 2:30 p.m. for a baseball camp for children ages 7 to 12, provided they add the Borough as an additional insured on their insurance with the execution of a license agreement to include a maintenance agreement.

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

RESOLVED, That, the following Resolution 38-09, regarding the request of New Life Community Fellowship to hold a Summer Sports Camp in Main Street Park, be adopted:

RESOLUTION NO. 38-09

WHEREAS, a request was received from New Life Community Fellowship to use Main Street Park for a Summer Sports Camp and barbecue .

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of New Life Community Fellowship to hold a Summer Sports Camp in Main Street Park on June 23 to June 25, 2009. 9:00 a.m. to 5:00 p.m. and a barbecue celebration on June 25, 2009, 6:00 p.m. to 9:00 p.m., provided they add the Borough as an additional insured on their insurance.

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

Councilman Williams stated that a Quakertown Community Day meeting will be held at 7:00 p.m. on April 14th.

Councilman Zaiser urged Councilmembers to attend the Upper Bucks Parenting Center Open House on April 8th, 7-9 p.m., at St. Luke's Community Education Center.

President Roberts declared the meeting adjourned at 8:30 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary