

A regular meeting of the Borough Council was held May 6, 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 Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Phyllis R. Ewing.

RESOLVED, That, the Minutes of March 30 and April 1, 2009, be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried.

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

April 3, 2009--	\$ 30,806.51
April 14, 2009 –	200.00
April 17, 2009 –	36,371.90
April 24, 2009 –	31,432.32
April 28, 2009 –	320.00
April 29, 2009 –	886,075.32
May 8, 2009 --	6,365.84

Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough.

Councilman Zaiser questioned the check for \$525 made out to the National Rifle Association and asked whether, at a future meeting, the Manager could explain why the police officers benefit from this training versus training from other sources. President Roberts indicated that Councilman Zaiser's request is granted. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the Financial Statement be received and filed. Motion of Councilman Rosenberger, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried.

Finance Director Julie Dechnik explained to Council how to read the Financial Statement and what it includes. Councilman Rosenberger asked whether the reports will be submitted quarterly to Council? Finance Director Dechnik stated that the reports will be submitted monthly.

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.

President Roberts stated that we will skip to the first item under Parks & Recreation Committee.

RESOLVED, That, the following Resolution 55-09, recognizing Dennis and Barbara Robison, be adopted:

RESOLUTION NO. 55-09

WHEREAS, the Borough Council of the Borough of Quakertown takes great pleasure in recognizing those who selflessly devote their lives to the community of Quakertown; and

WHEREAS, Dennis and Barbara Robison have given twenty-five years of service to the Quakertown Blazers Baseball Team by serving as Coach and Manager of the Blazers Baseball Team, providing youth with direction and purpose by devoting their time to the discipline and sport of baseball; and

WHEREAS, the Borough Council of the Borough of Quakertown wishes to pay tribute to Dennis and Barbara Robison for their 25 years of dedicated service to our community.

NOW, THEREFORE, BE IT RESOLVED, That the Borough Council of the Borough of Quakertown, publicly honor and thank Dennis and Barbara Robison for their twenty-five years of unselfish contribution to the Quakertown Blazers and the Quakertown community, and we offer best wishes for their retirement.

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

Councilman Williams presented the Robison's with a framed copy of Resolution 55-09. Mr. Robison told Council that they played in many different facilities and the facility in Quakertown is second to none.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 62-09 granting a request for a curb cut at 1534 Park Avenue, be adopted:

RESOLUTION NO. 62-09

WHEREAS, Boyle Construction, Inc, made an application for a curb cut for a driveway entrance into the newly constructed St. Luke's Bone & Joint Institute.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the application for a curb cut at 1534 Park Avenue.

Motion of Councilman Scholl, seconded by Councilman Williams.

Councilman Rosenberger asked if this actually comes out on Mill Road. He was advised that is correct. Councilman Rosenberger asked, according to the Planning Commission minutes, a question was raised as to whether they should make a \$5,000 contribution toward improvements at the intersection, they weren't interested in making it, which intersection were they talking about? Doug Propst, a member of the Quakertown Planning Commission, explained that the Planning Commission was trying to make a determination whether any limits should be placed on turning lanes at the intersection of Mill and 309.

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

REVENUE & FINANCE COMMITTEE

Councilman Rosenberger asked the Borough Manager or Solicitor to bring Council up to date on the proposed tower lease. Solicitor Fonzone went over the tower lease in detail and explained the changes he requested and additions T-Mobile requested.

RESOLVED, That, the following Resolution 54-09 regarding a proposed tower lease, be adopted:

RESOLUTION 54-09

WHEREAS, the Borough Manager and Water Department Superintendent have negotiated a lease agreement for a T-Mobile Northeast, LLC proposed antenna facility to be installed on the Borough's Portzer Road water tower.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes the Borough Manager to execute the water tank lease agreement on behalf of the Borough.

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 58-09 regarding the Upper Bucks Senior Activities Center, be adopted:

RESOLUTION 58-09

WHEREAS, a request for financial support was received from the Upper Bucks Senior Activities Center.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown will appropriate \$700 per month until December 31, 2009, to be used in the payment of rent of their facilities.

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 49-09 accepting the proposal of American Appraisal to provide GASB34 Capital Asset and Infrastructure Inventory Valuation services, be adopted:

RESOLUTION NO. 49-09

WHEREAS, the Borough has received a proposal from American Appraisal Associates, Inc. of Wrightstown, Pennsylvania to provide Capital Asset and Infrastructure Inventory and Valuation Services for purposes of compliance with GASB34; and

WHEREAS, the Borough of Quakertown proceeded with due diligence in requesting proposals from three asset valuation 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 proposal of American Appraisal Associates, Inc., as per their proposal dated March 5, 2009, at an estimated cost of \$15,000.00.

Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough.

President Roberts asked when this is completed and we talk about net assets, will they be capitalized as far as dollar values and put into the system, or is this a separate thing and will not affect the actual financial statement that we get each month. Finance Director Dechnik stated that it will not affect the financial statement, but will affect the one that is audited.

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

RESOLVED, That, the following Resolution 57-09, regarding a cooperation agreement between the Borough and Quakertown Alive, be adopted:

RESOLUTION NO. 57-09

WHEREAS, the Borough of Quakertown wishes to apply for grants from Pennsylvania Department of Community and Economic Development for the Main Street Program; and

WHEREAS, a Cooperation Agreement between the Borough of Quakertown and Quakertown Alive is needed.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown to authorize the Borough Manager to execute the Cooperation Agreement between the Borough of Quakertown and Quakertown Alive.

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 60-09, regarding the proposed Food Pantry Project, be adopted:

RESOLUTION NO. 60-09

WHEREAS, Council of the Borough of Quakertown wished to have the Quakertown Food Bank located somewhere within the Borough limits; and

WHEREAS, meetings were held with the Borough Manager, the Public Works Department Superintendent, the Code Enforcement Officer, and the Quakertown Food Pantry Committee to determine a viable location; and

WHEREAS, it has been determined that the Borough property located at 101 N. Third Street, the building next to the Public Works garage building, could be renovated, including an addition, that would provide an ideal location for the food bank; and

WHEREAS, currently there is \$30,000 in donations available for funding the project, which will cover the cost of the project.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes the Borough Manager to proceed with the construction and renovation of the facility to accommodate the Quakertown Food Pantry.

Motion of Councilman Rosenberger, seconded by Councilman Zaiser.

Under discussion, Manager McElree stated that he and the Public Works Superintendent met with the Food Pantry representatives, at which meeting they came up with a general concept, took measurements, and were given the Food Pantry representatives recommendations as to how they would like the interior designed. Manager McElree indicated that if the weather is cooperative, it could be completed by Fall. Councilman Rosenberger asked if they have to meet any ADA requirements? Manager McElree stated that ingress and egress to the building are not a concern because there aren't any steps and we will provide one bathroom for staff members. Manager McElree pointed out that this will almost double the space they have now at the Skating Shelter.

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

HEALTH SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 47-09 regarding the observance of May 15th as Police Officers' Memorial Day, be adopted:

RESOLUTION NO. 47-09

WHEREAS, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of the Borough of Quakertown play an essential role in safeguarding the rights and freedoms of Quakertown; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the Borough of Quakertown unceasingly provide a vital public service.

NOW, THEREFORE, the Borough Council of the Borough of Quakertown, call upon all citizens of Quakertown and upon all patriotic, civic and educational organizations to observe the week of May 10 - 16, 2009, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

NOW, BE IT RESOLVED that the Borough of Quakertown shall observe Friday, May 15, 2009, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

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 51-09, authorizing the Borough Manager to proceed with the selection process to replace a retired officer, be adopted:

RESOLUTION NO. 51-09

WHEREAS, an officer in the Quakertown Police Department had retired; and
WHEREAS, a replacement for the vacancy is needed in the Quakertown Police Department.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with the selection process for a police officer and de-certification of the previous civil service list of candidates.

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 52-09, regarding the observance of National Nurses Week, be adopted:

RESOLUTION NO. 52-09

WHEREAS, the nearly 2.9 million registered nurses in the United States comprise our nation's largest health care profession; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

WHEREAS, the cost-effective, safe and quality health care service provided by nurses will be an ever more important component of the U. S. health care delivery system in the future; and

WHEREAS, along with the American Nurses Association, the Borough of Quakertown has declared the week of May 6-12 as National Nurses Week with the theme **Nurses Building a Healthy America** in celebration of the ways in which nurses strive to provide safe and high quality patient care and map out the way to improve our health care system.

NOW THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown asks that all residents of the Borough of Quakertown join in honoring the nurses who care for all of us.

BE IT FURTHER RESOLVED, That, Borough Council and the residents of the Borough of Quakertown join in honoring the professional nurses who care for all of us, and that we express our appreciation to the nurses, not just during this week, but at every opportunity throughout the year.

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

Councilman Rosenberger asked about the new law requiring municipalities to replace handicap ramps. Manager McElree answered that there has been a change in the design of ADA ramps: 1) the slope of the ramp; 2) truncated nodules (so a person in a wheelchair won't lose control and go into the street); 3) intersections require two ramps. Manager McElree indicated that the new law is not clear and he is trying to get clarification. Manager McElree stated that until he gets clarification, we are assuming the changes don't need to be made until a change is made, such as reconstructing a street or a sidewalk.

PUBLIC UTILITIES COMMITTEE

Councilwoman Scarborough indicated that she would like to remove consideration of Resolution 53-09 in regard to combating biosolids opposition from the agenda at this time. President Roberts agreed that Resolution 53-09 is removed from the agenda.

RESOLVED, That, reading of Ordinance 1159, regarding the Industrial Pretreatment Program, 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 1159, amending certain provisions of the Code of Ordinances of the Borough of Quakertown, Chapter 18, Sections 301, 302, and 304 establishing rules and regulations for a Wastewater Industrial Pretreatment Program, be passed finally. Motion of Councilwoman Scarborough, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 48-09, recognizing Public Works Week, be adopted:

RESOLUTION 48-09
National Public Works Week

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operations of public works systems and programs such as water, sewer, electric and roads; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works employees; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff our public works departments is significantly influenced by the residents' understanding of the importance of the work they perform,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of Quakertown, Pennsylvania to proclaim the week of May 17–23, 2009 'National Public Works Week' in the Borough of Quakertown, Pennsylvania. Council calls upon businesses, organizations and citizens to acquaint themselves with the issues involved in providing our public works services and to recognize the outstanding contributions which our public works employees make every day to ensure the health, safety, comfort, and quality of life in 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 59-09, regarding the leasing of the Blue Water Café, be adopted:

RESOLUTION NO. 59-09
ACCEPTING PROPOSAL OF
DOMINICK'S PIZZA

WHEREAS, a proposal was received from Dominick's Pizza of Quakertown, Pennsylvania, for leasing the Blue Water Café, at the following minimum monthly fees paid to the Borough of Quakertown:

May	\$ 536.00
June	\$ 2,000.00
July	\$ 2,000.00
August	\$ 2,000.00
September	<u>\$ 80.00</u>
Total Minimum Fee	\$ 6,616.00

WHEREAS, the Borough of Quakertown proceeded with due diligence in requesting proposals from other restaurants/caterers to receive the best fee for this service.

NOW, THEREFORE, BE IT RESOLVED, That, the Blue Water Café be leased to Dominick's Pizza for the year 2009 as per their proposal.

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 56-09 regarding a request from the Quakertown Blazers, be adopted:

RESOLUTION NO. 56-09

WHEREAS, a request was received from Quakertown Blazers to use Memorial Park Stadium July 13 through July 15, 2009 and the use of the Quakertown Youth Baseball Association fields July 6 through July 9, 2009 to conduct youth baseball camps.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Quakertown Blazers to use Memorial Park Stadium and Quakertown Youth Baseball Association fields to conduct youth baseball camps provided that they add the Borough as an additional insured.

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 61-09 regarding Harvest Community Church's request to adopt the Skate Park, be adopted:

RESOLUTION NO. 61-09

WHEREAS, a request was received from Harvest Community Fellowship to manage the Quakertown Skate Park; and

WHEREAS, Borough Solicitor Charles Fonzone has prepared a license agreement for this use.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to execute a license agreement with Harvest Community Fellowship.

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

Councilman Williams indicated that there is a big event this weekend. Councilman Scholl indicated that for the tenth year, the Upper Bucks Relay for Life will be held this weekend, a rain or shine event and will include, food and live bands.

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

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary

