

A regular meeting of the Borough Council was held August 4, 2010, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Councilmembers David Erwin, 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 July 7 and 26, 2010, be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried (Councilman Scholl absent).

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

July 9,2010	–	\$ 6,620.62
July 16, 2010	–	861,844.06
July 23, 2010	–	20,928.03
July 28, 2010	–	341,866.94
July 30,2010	–	17,184.52
August 4, 2010	–	6,878.72

Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough.

President Roberts stated that he will abstain from voting as a purchase was made from the Friendly Book Store.

A roll call vote was taken and the motion carried with the following Councilmembers voting in favor: Erwin, Johnson, Rosenberger, Scarborough and Williams; and the following Councilmember abstaining: Roberts (Councilman Scholl absent).

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

At 7:35 p.m., President Roberts called the public meeting regarding the National Register Nomination to order and indicated that Preservation Consultant Ms. Kathryn Ann Auerbach will give a presentation. President Roberts stated that following the presentation, Council and members of the audience will be able to present questions and/or comments.

Ms. Auerbach, with the use of a map, pointed out the boundaries of the Quakertown Historic District. The Quakertown Historic District is scheduled for review on October 5th. Ms. Auerbach expounded on the history of Quakertown and the National Register.

Mr. Steve Biddle, 130 S. Main Street, commented on the Historic District and the

National Register.

President Roberts asked if anyone had any other comments or questions and indicated that by their silence, he is taking it that everyone is in agreement with this endeavor. At 7:55 p.m., President Roberts declared the public meeting portion of the meeting adjourned.

PLANNING & ZONING COMMITTEE

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

Councilwoman Scarborough stated that the first item on the agenda is with regard to an open container ordinance, which has been advertised.

RESOLVED, That, reading of Ordinance 1172, regarding open containers, be waived. Motion of Councilwoman Scarborough, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Scholl absent).

RESOLVED, That, Ordinance 1172, an ordinance prohibiting the drinking of "alcoholic beverages" upon any public access property, or in any vehicle being operated or parked thereon, and to prohibit any person to have in such person's possession or in any vehicle under such person's control, any open container containing an "alcoholic beverage" upon any public access property; and to provide penalties for the violation thereof, be passed finally. Motion of Councilwoman Scarborough, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Scholl absent).

RESOLVED, That, the following Resolution 87-10, regarding the National Register Nomination, be adopted:

RESOLUTION 87-10

WHEREAS, the Council of the Borough of Quakertown voted on September 1, 2004, to support the efforts of Quakertown Alive to create a National Historic District Register; and

WHEREAS, the Council of the Borough of Quakertown has held a public meeting regarding the community's position on having the Historic District Area of the Borough listed in the National Register of Historic Places,

NOW, THEREFORE, BE IT RESOLVED, That, we renew our commitment to the Resolution of September 1, 2004.

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

REVENUE & FINANCE COMMITTEE

Councilman Rosenberger stated that ChesMont Disposal of Skippack, Pennsylvania, is contemplating being acquired by a larger company and are requesting that the Borough consent to assign the three-year contract to their potential new owners. Councilman Rosenberger further stated that the Consent Assignment has been reviewed by the Borough Solicitor and the Borough Manager. Before Council ultimately accepts the assignment, IESI PA Corporation will provide certain financial information, information on their background as to litigation and some other items. The Resolution allows the Borough Manager to collect that information and sign the consent.

RESOLVED, That, the following Resolution 86-10, authorizing the proper Borough Official to execute the Consent to Assignment regarding trash disposal, be adopted:

RESOLUTION NO. 86-10

WHEREAS, Resolution 94-09 was adopted on September 2, 2009 awarding Ches-Mont Disposal a three year contract for trash disposal; and

WHEREAS, IESI PA Corporation of Delaware is contemplating entering into an Asset Purchase Agreement with Ches-Mont Disposal; and

WHEREAS, Borough Council consents to the Assignment Agreement effective the date Ches-Mont Disposal and IESI PA Corporation close upon the Asset Purchase Agreement .

NOW, THEREFORE, the Borough Council of the Borough of Quakertown authorizes the Borough Manager to execute the Consent to Assignment.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That the following Resolution 83-10, additional street closing for National Night Out, be adopted:

RESOLUTION NO. 83-10

WHEREAS, the Council of the Borough of Quakertown adopted Resolution 75-10, supporting and sponsoring the celebration of National Night Out; and

WHEREAS, Resolution 76-10 authorized street closures for National Night Out;
and

WHEREAS, the National Night Out Committee has requested an additional street closing of Second Street, between Park Avenue and Juniper Street.

NOW, THEREFORE, BE IT RESOLVED, That, Borough Council approves the following street closure for National Night Out to be held on August 3, 2010:

Second Street between Park Avenue and Juniper Street

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

RESOLVED, That, the following Resolution 81-10, Trinity Lutheran Church's request to close Erie Avenue for their annual Peach Festival, be adopted:

RESOLUTION NO. 81-10

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 11, 2010 from 5 to 10 p.m. (rain date August 12) for their Peach Festival provided they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 79-10, Crossroads Pregnancy Care's request for a fund raiser walk through Quakertown, be adopted:

RESOLUTION NO.

79-10

WHEREAS, Crossroads Pregnancy Care has applied for a public gathering permit for a fund raiser "Walk for Life" through Quakertown.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit request of Crossroads Pregnancy Care

for their "Walk for Life" through Quakertown beginning and ending in Memorial Park on October 2, 2010, from 10:00 a.m. to 1:00 p.m. provided they add the Borough as an additional insured on the insurance.

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

RESOLVED, That, the following Resolution 85-10, Lion's Club Halloween Parade, be adopted:

RESOLUTION NO. 85-10

WHEREAS, a request was received from the Quakertown Lions Club for the annual Quakertown Halloween Parade to waive the fee for the use of the bandshell and to approve the closing of the streets for the parade route. The requested street closings are:

Juniper Street from 4th Street to 11th Street,
Eleventh Street between Juniper and Broad Street,
Broad Street
3rd Street between Broad and Juniper
Fifth, Sixth and Seventh Streets between Broad and Park Avenue; 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 the Quakertown Lions Club Halloween Parade to close Borough streets and waive the fee for the use of the bandshell for their event on October 24th, 2010 (rain date October 31, 2010).

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

Councilman Johnson stated that National Night Out was a successful event last night. Manager McElree expressed the Police Department's appreciation of the Committee, the Fire Department, the EMS and all the volunteers.

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 80-10, Wastewater Treatment Plant painting bid, be adopted:

RESOLUTION NO. 80-10
ACCEPTING BID AND AWARDING CONTRACT TO
CERTAPRO PAINTERS

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of CertaPro Painters of East Stroudsburg, Pennsylvania, in the amount of \$22,492.84 for painting of two structural steel buildings as per bid opened June 29, 2010, is hereby accepted. The contract is awarded to CertaPro Painters. 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 Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Scholl absent).

PUBLIC WORKS COMMITTEE

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

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 78-10, East Swamp Church's request to use the Skate Park and Main Street Park, be adopted:

RESOLUTION NO. 78-10

WHEREAS, a request was received from East Swamp Church to use Main Street Park basketball court 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 basketball court and the Skate Park for an event, which includes: basketball tournament, skateboarding contest, recorded music and free food from 12:00 to 3:00 p.m. on Saturday, September 25, 2010 (rain date October 2, 2010) provided they add the Borough as an additional insured on the insurance.

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

RESOLVED, That the following Resolution 84-10, Relay for Life annual event, be adopted:

RESOLUTION NO. 84-10

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 14 - 15, 2011, and to rent the bandshell, provided they add the Borough as an additional insured on the insurance.

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

Councilman Williams stated that the soccer tournament held by the Sarah Parvin Foundation had 174 teams participating in this 24-hour event. Manager McElree stated that it was a phenomenal success.

President Roberts declared the meeting adjourned at 8:25 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Borough Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary