

A regular meeting of the Borough Council was held June 2, 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, Edward Scholl and Daniel Williams, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Phyllis R. Ewing.

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

| | | | |
|---------------|---|----|------------|
| May 4, 2010 | - | \$ | 72.00 |
| May 7, 2010 | - | | 23,258.02 |
| May 14, 2010- | | | 771,313.83 |
| May 21, 2010- | | | 15,584.59 |
| May 27, 2010- | | | 595.00 |
| May 28, 2010- | | | 8,104.51 |
| May 28, 2010- | | | 180,985.19 |
| June 1, 2010 | - | | 4,536.51 |

Motion of Councilman Rosenberger, seconded by Councilman Williams.

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, Scholl and Williams; and the following Councilmember abstaining: Roberts.

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

Visitors:

Susan Polton, 311 W. Paletown Road, stated she would like to speak with regard to the fee for the KIDS Program. President Roberts stated that she could speak during the Revenue & Finance Committee portion of the Agenda.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 68-10, Quakertown Area Planning Committee, be adopted:

RESOLUTION NO. 68-10

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 Area School District (collectively the “Participating Municipalities and School District”) and has operated as an advisory planning committee since 1972, at which time it was established by resolution.

This resolution serves as an update to previous resolutions in regards to committee membership, duties, and expense allocation by all member municipalities and the Quakertown Community School District. The QAPC shall be authorized to do planning work on common problems, including, but not limited to: land use, water, sewers, schools, highways, flooding, and ordinances; and provide recommendation concerning any of the following that may be submitted by the participating municipalities in the Committee:

- a. Amendments to the area subdivision and land development ordinance or to the area zoning ordinance.
- b. All planned residential developments, performance standards subdivisions, and cluster subdivisions.
- c. All requests for conditional uses or special exceptions involving developments on more than 5 acres.
- d. All sketch and preliminary subdivision or land development plans of nonresidential developments involving more than 5 acres or residential developments of 25 acres or more dwelling units.

The Quakertown Area Planning Committee consists of thirteen appointed members: two from each municipality and one from the Quakertown Area School District. Each municipality shall be represented by one member of the local planning commission and one member from the local governing body. The school district and the municipalities may furnish alternate members that may vote when appointed members are not in attendance. Only one vote may be recorded from the school district and from each municipality. The terms of all members shall be concurrent with the individual’s elected or appointed terms in the municipality except that such terms may be terminated by action of the local governing body.

WHEREAS, the QAPC has issued a description outlining their purposes and relationship to the participating communities in the QAPC.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown agrees with the aforementioned description and participation of the Borough of Quakertown in the Quakertown Area Planning Committee, and;

BE IT FURTHER RESOLVED, That, the Borough Council of the Borough of Quakertown agrees to pay 13.5%, a proportionate amount of expenses incurred by the Quakertown Area Planning Committee known as the expense allocation, for such a time that all aforementioned participating municipalities agree to pay said expense allocation.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 61-10, revising the fee schedule to include a Uniform Construction Code Appeals Board fee, be adopted:

RESOLUTION NO. 61-10

WHEREAS, Resolution 5-10 was adopted on January 4, 2010 and established the fees associated with Borough services; and

WHEREAS, the Borough wishes to add a Uniform Construction Code Appeals Board fee.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the fee to be added are to read as follows:

Uniform Construction Code Appeals Board Fees

| | |
|---|-----------|
| Residential & Non-Profit | \$ 500.00 |
| Commercial & Industrial | 1,500.00 |
| Cancellation (less than 48 hrs. notice) | 300.00 |

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

RESOLVED, That, the following Resolution 60-10, revising the fee schedule to include pole attachments and fiber optics fee, be adopted:

RESOLUTION NO. 60-10

WHEREAS, Resolution 5-10 was adopted on January 4, 2010 and established the fees associated with Borough services; and

WHEREAS, the Borough wishes to add pole attachment fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the fees to be added are to read as follows:

POLE ATTACHMENT

| | |
|-----------------|---------------------|
| Cable and Phone | \$ 25.00/attachment |
| Fiber Optics | 100.00/attachment |

Motion of Councilman Rosenberger, seconded by Councilman Erwin.

Under discussion, Councilman Rosenberger asked if this would or would not include Verizon and Comcast, since we have contracts with them? Manager McElree indicated that it would include Verizon and Comcast plus some smaller entities that we have contracts with. Councilman Rosenberger asked if this will add a charge that they currently are not paying? Manager McElree indicated that the pole attachment was \$8.00/attachment and the fiber optics were \$100/attachment.

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

RESOLVED, That, the following Resolution 64-10, request of the Sarah Parvin Foundation to use the bandshell, be adopted:

RESOLUTION NO. 64-10

WHEREAS, a request was received from the Sarah Parvin Foundation to use the bandshell for their Sarah Parvin Soccer Tournament.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Sarah Parvin Foundation to rent the bandshell for their event to be held on the Quakertown Soccer fields on July 31 and August 1, 2010, provided they add the Borough as an additional insured on the insurance.

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

Ms. Polton was told that she could speak at this time. Ms. Polton told Council that her son has attended the KIDS Program for four years and questioned the \$100 fee for the KIDS Program for non-Borough residents. Ms. Polton questioned going from free to a fee of \$100.00. Ms. Polton stated that if there is a fee, then she feels everyone should pay, including Borough residents. Councilman Rosenberger explained that the Borough was facing a deficit and the cost to the Borough for the KIDS Program was considerable. For the first year, there is no cost to the Borough residents. It was suggested to her to contact Stephen Sechriest of Richland Township and ask them to either sponsor some type of a KIDS Program or subsidize Richland Township families for the Quakertown Program.

HEALTH, SAFETY & WELFARE COMMITTEE

Councilman Johnson stated that there aren't any items for action under the Health, Safety & Welfare Committee.

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 62-10, awarding bids for disposal of sewer sludge, be adopted:

RESOLUTION NO. 62-10 ACCEPTING BIDS AND AWARDING CONTRACTS

RESOLVED, by the Council of the Borough of Quakertown, That, the following bids be accepted and contracts awarded to:

Interstate Waste Services of Ramsey, New Jersey, for landfill disposal, as follows:

Year 1 — \$38.00/wet ton
Year 2 — \$38.75/wet ton
Year 3 — \$39.50/wet ton
Year 4 — \$40.25/wet ton
Year 5 — \$41.00/wet ton

Jesse Baro of Douglassville, Pennsylvania, for agricultural beneficial use, as follows:

Year 1 — \$24.03/wet ton
Year 2 — \$24.75/wet ton
Year 3 — \$25.44/wet ton
Year 4 — \$26.25/wet ton
Year 5 — \$27.04/wet ton

Jesse Baro of Douglassville, Pennsylvania, for alternative use, as follows:

Year 1 — \$43.00/wet ton
Year 2 — \$44.29/wet ton
Year 3 — \$45.62/wet ton
Year 4 — \$46.99/wet ton
Year 5 — \$48.40/wet ton

as per their bids opened May 18, 2010, is hereby accepted. The contracts are awarded to Interstate Waste Services and Jesse Baro. 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 Erwin. A roll call vote was taken and the motion was unanimously carried.

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 66-10, awarding the bid for road material, be adopted:

66-10 RESOLUTION NO.

ACCEPTING BIDS AND AWARDING CONTRACTS

RESOLVED, by the Council of the Borough of Quakertown, That, the following bids for road materials be accepted and contracts awarded to:

Hanson Aggregates of Penns Park, Pennsylvania, for:

| | <u>Pick-up</u> | <u>Delivered</u> |
|--------------------------|----------------|------------------|
| #3 crushed stone | \$ 9.15 | \$ 12.95 |
| #10 screenings | 5.00 | 8.80 |
| #57 washed crushed stone | 8.50 | 12.30 |
| 2A modified | 5.50 | 9.30 |
| 3-A modified | 5.50 | 9.30 |
| 2 B ¾ clean | 8.50 | 12.30 |

Coopersburg Asphalt of Coopersburg, Pennsylvania, for:

| | <u>Pick-up</u> | <u>Delivered</u> |
|---------------------|----------------|------------------|
| QPR 2000 cold patch | \$113.00 | \$115.80 |

The contracts are awarded in accordance with bids opened May 11, 2010. The term of the contracts is June 1, 2010 through June 1, 2011. The Borough Manager is hereby authorized to execute the said contracts on behalf of the Borough of Quakertown.

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

RESOLVED, That, the following Resolution 67-10, awarding the bid for superpave, be adopted:

RESOLUTION NO. 67-10
ACCEPTING BID AND AWARDING CONTRACT TO
COOPERSBURG ASPHALT

RESOLVED, by the Council of the Borough of Quakertown, That, the following bid for superpave materials be accepted and contract awarded to:

Coopersburg Asphalt of Coopersburg, PA for:

| | | |
|---|---------|---------|
| SuperpaveHMA, 9.5 mm Wearing Course PG 64-22, 0.0 – 0.3 M Esal's, SLR H | \$51.00 | \$55.20 |
| SuperpaveHMA, 9.5mm Fine Graded PG 64-22, 0.0 – 0.3 M Esal's, SLR H (leveling course) | \$51.00 | \$55.20 |
| SuperpaveHMA, 9.5 mm Wearing Course PG 64-22, 0.3 – 3.0 M Esal's, SLR H | \$51.00 | \$55.20 |
| SuperpaveHMA, 9.5mm Fine Graded PG 64-22, 0.3 – 3.0 M Esal's, SLR H (leveling course) | \$51.00 | \$55.20 |
| SuperpaveHMA, 19mm Binder Course PG 64-22, 0.0 – 0.3 M Esal's, SLR H | \$49.00 | \$53.20 |
| SuperpaveHMA, 19mm Binder Course PG 64-22, 0.3-3.0 Esal's, SLR H | \$49.00 | \$53.20 |
| SuperpaveHMA, 25 mm Base Course PG 64-22, 0.0 – 3.0 M Esal's, SLR H | \$44.00 | \$48.20 |
| SuperpaveHMA, 25 mm Base Course PG 64-22, 0.3 – 3.0 M Esal's, SLR H | \$44.00 | \$48.20 |

The contract is awarded in accordance with bid opened May 11, 2010. The term of the contract is June 1, 2010 through June 1, 2011. The Borough Manager is hereby authorized to execute the said contracts on behalf of the Borough of Quakertown.

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

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 65-10, request to hold a Crop Walk by the Quakertown Ministerium, be adopted:

RESOLUTION NO. 65-10

WHEREAS, a request was received for a public gathering permit from the Quakertown Ministerium 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 Quakertown Ministerium for a Crop Walk to be held on October 10, 2010, provided they add the Borough as an additional insured.. This event has a designated course throughout the Borough, participants will be using sidewalks and not the streets

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

RESOLVED, That, the following Resolution 63-10, Community Day Committee organization, be adopted:

RESOLUTION NO. 63-10

WHEREAS, Community Day in Quakertown has been celebrated to recognize the July 4th holiday for the past thirty years; and

WHEREAS, the Community Day celebration has been sponsored by American Legion Post 242 and organized by a Community Day Committee; and

WHEREAS, the American Legion is no longer sponsoring the event; then be it

RESOLVED, That, the Borough of Quakertown will assume sole sponsorship of the Community Day celebration, and further,

RESOLVED, That, an ad hoc "2010 Community Day Celebration" committee shall be appointed by the Borough Manager and shall have the authority to collect and expend donated funds given for the event, and further,

RESOLVED, That, the Borough of Quakertown acknowledges that these funds that support the Community Day celebration are derived from donations and are not under the control nor are they part of the funds of the Borough of Quakertown

Motion of Councilman Williams, seconded by Councilwoman Scarborough. A roll call vote was

taken and the motion was unanimously carried.

Manager McElree appointed the following officers of the Community Day Committee:

Chairman – Ken Williams
Vice Chairman - George Banas
Secretary - Barbara Stoneback
Treasurer - Elaine Propst

RESOLVED, That, Council ratifies the Borough Manager's appointments of officers to the Community Day Committee. Motion of Councilman Williams, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried.

President Roberts declared the meeting adjourned at 8:10 p.m.

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary