

A regular meeting of the Borough Council of Quakertown was held March 6, 2019, 7:30 p.m.

The following members and officers were present: President Donald Rosenberger, Vice President James Roberts, Councilmembers Douglas Propst, Michael Johnson, Jonathan Sell, Mae Wear, Solicitor Peter Nelson, Manager Scott C. McElree, Asst. Borough Secretary Kris Barndt and Junior Councilmembers Amanda Banes, Riley Boike and Mason Smith. Absent, Councilman Wilsey.

RESOLVED, That, the Minutes of February 6, 2019, be approved as written. Motion of Vice President Roberts, seconded by Councilman Sell. A roll call vote was taken and the motion was unanimously carried. Absent, Councilman Wilsey.

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

February 1, 2019	\$ 19,519.88
February 4, 2019	1,480.32
February 8, 2019	317,118.57
February 14, 2019	798,236.12
February 15, 2019	22,342.75
February 22, 2019	704,325.22
February 27, 2019	439,275.78

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

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

President Rosenberger stated Borough Solicitor Charles Fonzone served as Solicitor for over 30 years, the longest Solicitor according to Borough records. The Borough received word in January, 2019 of Mr. Fonzone's decision to retire. Council thanks Chuck for his many years of faithful counsel he has provided and to the administration on many issues. The Finance Committee along with the Borough Manager is recommending Peter Nelson of Grim, Biehn, Thatcher as our appointee to serve as the Borough's next Solicitor. Vice President Roberts gave a brief resume of H. Peter Nelson.

#### RESOLUTION 42-19

RESOLVED, that H. Peter Nelson of the law firm Grim, Biehn & Thatcher be appointed to serve as Solicitor for the Borough of Quakertown for a term commensurate with the pleasure of Borough Council.

Motion made by Vice President Roberts, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried. Absent, Councilman Wilsey.

Solicitor Nelson was welcomed to his seat with Borough Council.

Visitors:

Stephen Biddle, 130 S. Main Street indicated he would like to speak regarding the Conditional Use Hearing, the land development plan on Erie Avenue and the Panther Playground Grant proposal.

President Rosenberger temporarily adjourned the Council meeting at 7:40 pm to open the Conditional Use Hearing for Quakertown Community School District's request to replace the score board at Alumni Field on Park Avenue with a digital score board. The Conditional Use Hearing was properly advertised.

All members of Council were present except Councilman Wilsey, absent.

Councilman Johnson made a motion to close the hearing, seconded by Vice President Roberts. A roll call vote was taken and the motion was unanimously carried. Absent, Councilman Wilsey.

President Rosenberger reopened the Council meeting at 7:51 pm.

Full transcript is on file in the administrative office.

### **PLANNING & ZONING COMMITTEE**

Councilman Sell made a motion to accept the new Quakertown School District Alumni Field digital sign, seconded by Vice President Roberts. Solicitor Nelson added to the motion that the digital sign is approved with the condition upon Quakertown School District erecting the sign as was described at this hearing and in accordance with their documents submitted to the Borough. A roll call vote was taken and the motion was unanimously carried. Absent, Councilman Wilsey.

RESOLVED, That, the following Resolution 31-19, accepting the land development plan for 97 Erie Avenue, be adopted:

#### **RESOLUTION 31-19**

WHEREAS, the Quakertown Planning Commission and the Bucks County Planning Commission have reviewed and recommended approval of land development of Yates Electric, Inc.'s property at 97 Erie Avenue, Tax Map Parcel #35-008-414 as per plans dated December 16, 2013 updated with minor modifications dated January, 2019; and

WHEREAS, the plan and application have been reviewed by Cowan Associates, Inc. and the Bucks County Planning Commission, and has been found to be suitable for final approval.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Quakertown grants final approval of the 97 Erie Avenue land development plan requiring all comments from Cowan Associates, Inc.'s letter dated January 10, 2019 be completed.

The plan must be recorded in Bucks County within ninety (90) days.

Motion of Councilman Sell, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously approved. Absent, Councilman Wilsey.

President Rosenberger stated Mr. Biddle could speak at this time. Mr. Biddle questioned the traffic which would be generated from 97 Erie Avenue. Code Officer Doug Wilhem replied there are

approximately twelve employees and the work vehicles go home with the employees so they are not on site. There are about three or four vehicles which stay on site on a continuing basis. The business receives a delivery maybe every other week. There would not be a traffic impact or increase.

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 28-19, replacement of a General Authority member, be adopted:

#### **RESOLUTION 28-19**

Whereas, a letter was received from Donald C. Barto from the Quakertown General Authority indicating due to declining health reasons he will no longer be able to serve to the best of his ability and has sincerely enjoyed over twenty years of service to the Quakertown General Authority; and

Whereas, a letter was received from David Caro from Grim, Biehn & Thatcher who represents the Authority recommending the appointment of Curtis N. Barto, 218 S. Eighth Street, Quakertown, for his replacement.

NOW, THEREFORE, BE IT IS RESOLVED, that Borough Council hereby appoints Curtis N. Barto to fill Donald C. Barto's remaining term on the Quakertown General Authority to expire on December 31, 2021.

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

RESOLVED, That, the following Resolution 29-19, accept bid and award contract for lawn maintenance, be adopted:

#### **RESOLUTION 29-19 ACCEPT BID AND AWARD CONTRACT FOR LAWN MAINTENANCE**

RESOLVED, by the Council of the Borough of Quakertown, That, the bids of Evercor Landscaping Services, Inc. of Wyoming, Pennsylvania in the amount of \$106,565.00 annually for years 2019, 2020 and 2021 as per bids opened on February 12, 2019, is hereby accepted. The bids for years 2022 and 2023 may be considered and awarded at a future date by Council. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

Vice President Roberts indicated that Mr. Biddle could speak at this time. Mr. Biddle asked when the dead line is for the grant submission and the amount the Borough is applying for.

Borough Manager McElree responded the dead line is April 10, 2019 and the amount applying for is up to \$500,000.00 which is a 50% match predicated what gets approved by DCNR.

RESOLVED, That, the following Resolution 30-19, DCNR grant application for the Quakertown Panther Playground revitalization, be adopted:

RESOLUTION 30-19

WHEREAS, the Borough of Quakertown (“Applicant”) desires to undertake the project of the Quakertown Panther Playground and is committed to its revitalization; and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources (“Department”) a grant equal or up to \$500,000 for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled “Terms and Conditions of Grant” and a document entitled ‘Grant Agreement Signature Page’; and

WHEREAS, the applicant understands that the contents of the document entitled “Terms and Conditions of Grant”, including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW, THEREFORE, BE IT RESOLVED, That:

1. The “Grant Agreement Signature Page” may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of Quakertown Borough Council President.
2. If this Official signed the “Grant Agreement Signature Page” prior to the passage of this Resolution this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the “Grant Agreement Signature Page”, signed by the above Official, will become the applicant/grantee’s executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the TITLE specified in paragraph 1 and the grantee will be bound by the amendment.

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

RESOLVED, That, the following Resolution 32-19, DCNR grant application for the Quakertown Panther Playground revitalization, be adopted:

RESOLUTION 32-19

BE IT RESOLVED, that the Borough of Quakertown of Bucks County, hereby requests a Community Conservation and Partnership Program (C2P2) grant of up to \$500,000 from the Commonwealth Financing Authority to be used for the Quakertown Panther Playground revitalization.

BE IT FURTHER RESOLVED, that the Borough of Quakertown does hereby designate the Borough Manager as the official to execute all documents and agreements between the Borough of Quakertown and the Commonwealth Financing Authority to facilitate and assist in obtaining the requested grant.

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

## HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 27-19, recognizing National Nurse's Week, be adopted:

### RESOLUTION 27-19

**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 Nursing: the Balance of Mind, Body and Spirit 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 Propst. A roll call vote was taken and the motion was unanimously carried. Absent, David Wilsey.

RESOLVED, That, the following Resolution 26-19, Phoebe Richland Health Care Center's request to co-sponsor the Upper Bucks Forum on Aging, be adopted:

### RESOLUTION 26-19

**WHEREAS**, a request was received by Phoebe Richland Health Care Center regarding the co-sponsoring of the Upper Bucks Forum on Aging to be held May 2, 2019 at Benner Memorial Hall, 1260 E. Cherry Road, Quakertown and to share this information on the Borough's website and bulletin boards; and

**WHEREAS**, the Borough Council supports the concept of the event and encourages the Borough's residents 55 years and older 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's website and bulletin boards.

Motion of Councilman Johnson, seconded by Vice President Roberts. A roll call vote was taken and the motion was unanimously carried. Absent, David Wilsey.

## **PUBLIC UTILITIES COMMITTEE**

In absence of Councilman Wilsey, President Rosenberger stated that there are not any items for action under the Public Utilities Committee.

## **PUBLIC WORKS COMMITTEE**

Councilwoman Wear stated that there are not any items for action under the Public Works Committee.

## **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 22-19, Neidig School's request to hold field day in Memorial Park, be adopted:

### **RESOLUTION 22-19**

WHEREAS, a request was received from Neidig Elementary School to hold Field Day, where students will perform physical activities and play sports in Memorial Park.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Neidig Elementary School to hold Field Day in Memorial Park on Wednesday, June 4, 2019 from 10:00 am to 3:30 pm, provided they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 23-19, Crossroads Pregnancy request to hold a 5K event, be adopted:

### **RESOLUTION 23-19**

WHEREAS, Crossroads Pregnancy Care has applied for a public gathering permit to conduct a Walk for Life and 5K Run event through the borough park and ending with live music, concessions, climbing wall and bouncy house.

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 and 5K Run event on October 5, 2019, from 6:00 am to 3:00 pm provided they add the Borough as an additional insured on the insurance.

Motion of Councilman Propst, seconded by Councilman Sell. A roll call vote was taken and the motion was unanimously carried. Absent, Councilman Wilsey.

RESOLVED, That, the following Resolution 24-19, Men's softball request to use the softball field in Memorial Park, be adopted:

RESOLUTION 24-19

WHEREAS, a request was received from the Quakertown Slow Pitch League requesting use of the softball field in Memorial Park for a Men's Slow Pitch League.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Men's Slow Pitch League to use the softball field in Memorial Park two games per night on Tuesdays, Wednesdays and Thursdays, starting on May 14, 2019 through August 17, 2019, with games starting at 6:15 pm and the second game starting immediately upon conclusion of the first game, provided each of the softball teams add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 25-19, YMCA's request to use the softball field for a T-ball league, be adopted:

RESOLUTION 25-19

WHEREAS, a request was received from the YMCA of Bucks County - Quakertown requesting use of Memorial Park's softball field to hold a youth tee-ball league.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the YMCA youth tee-ball league to use the softball field in Memorial Park every Monday night, starting April 22 – June 10, 2019 from 5:30 pm to 6:30 pm, provided the YMCA adds the Borough as an additional insured on their insurance.

Motion of Councilman Propst, seconded by Councilman Sell. A roll call vote was taken and the motion was unanimously carried. Absent, Councilman Wilsey.

President Rosenberger declared the meeting adjourned at 8:19 p.m.

BOROUGH OF QUAKERTOWN

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Donald E. Rosenberger  
President of Council

Attest:

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Scott C. McElree  
Borough Secretary