

A regular meeting of the Borough Council of Quakertown was held May 1, 2019, 7:30 p.m.

The following members and officers were present: President Donald Rosenberger, Vice President James Roberts, Councilmembers Douglas Propst, Michael Johnson, David Wilsey, 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.

RESOLVED, That, the Minutes of April 3, 2019, be approved as written. Motion of Councilman Johnson, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

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

March	29, 2019	\$	14,746.87
Aril	5, 2019		304,053.25
April	8, 2019		834.00
April	12, 2019		24,247.90
April	18, 2019		9,795.60
April	25, 2019		200.00
April	25, 2019		191,341.27

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

Visitors:

Stephen Biddle, 130 S. Main Street, indicated he would like to speak regarding Planning & Zoning.

Robert Gentieu, 144 S. 4<sup>th</sup> Street, indicated he would like to speak regarding flooding at his residence and between the Atrium building and 4<sup>th</sup> Street. Mr. Gentieu noticed engineers walking along the pipes and marking some of the pipes and asked if there was an update on the situation. Manager McElree replied that area has been looked at and there are some issues such as right of ways and easements. The Borough's plan is to replace that pipe and increase the pitch which will transmit a larger volume of water.

Edward Scholl, Economic Development Specialist updated Council on a few events and projects going on in the Borough.

The Trolley Barn - renovations will be starting soon.

The Freight Building - will be redesigned and restored.

The Eagle Hotel is continuing to move forward with renovations sometime in the fall.

The Ribbon Factory currently has demolition going on and is progressing.

The JG Furniture complex has an architect working on the building which will eventually bring additional businesses and jobs.

The Bush House - the county and property owners have been communicating.

The Senior Center - there are still discussions on trying to get the center back into the Borough.

A Public Transportation Survey is going out throughout the Quakertown School District to see if and/or what the needs would be.

### **PLANNING & ZONING COMMITTEE**

Councilman Sell stated that there are not any items for action under the Planning & Zoning Committee.

Councilman Sell indicated that Mr. Biddle could speak at this time. Mr. Biddle would like Council to consider taking a position in the Zoning Hearing coming up for the application considering a special exception to replace a preexisting grandfathered non conforming use for the property at Main Street & Juniper Street, the prior Quaker Safety building. There is strong public interest in that neighborhood not to have a self storage facility in the building and asks Council to look at it carefully.

President Rosenberger stated maybe an agreement will be met with the developer and the residents after their neighborhood meeting next week.

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 50-19, Cowan Associates, Inc. contract to assist with a DCED GTRP Grant for the Panther Playground project, be adopted:

#### **RESOLUTION 50-19**

WHEREAS, the Borough of Quakertown desires to undertake the project of replacing the Panther Playground; and

WHEREAS, the Borough wishes to contract Cowan Associates, Inc. to assist with a DCED GTRP Grant application to aid with funding for the playground project; and

WHEREAS, a proposal was received from Cowan Associates, Inc. dated April 4, 2019 for the amount of \$2,100 for DCED Grant assistance to include processing on-line forms and preparation of supplemental information required by the application including a general site plan, with an additional fee for any further information with respect to engineering services.

NOW THEREFORE BE IT RESOLVED, that the Council of the Borough of Quakertown wishes to accept Cowan Associates, Inc.'s proposal dated April 4, 2019 for the indicated services for DCED Grant assistance with an additional fee for any further engineering services and directs the Borough Manager to execute the said proposal 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.

RESOLVED, That, the following Resolution 51-19, GTRP grant application for the Panther Playground project, be adopted:

RESOLUTION 51-19

BE IT RESOLVED, that the Borough of Quakertown of Bucks County, hereby requests a Greenways, Trails and Recreation Program (GTRP) grant of \$250,000 from the Commonwealth Financing Authority to be used for revitalization of the Panther Playground in Memorial Park.

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.

RESOLVED, That, the following Resolution 58-19, authorization to execute the Cooperation Agreement with the Trolley Barn, LLC., be adopted:

RESOLUTION 58-19

WHEREAS, the Council of the Borough of Quakertown authorizes the Borough Manager to execute a Cooperation Agreement between the Borough of Quakertown and Trolleybarn, LLC. for the benefit of the RACP Grant recently transferred to the project known as the Trolleybarn at the premises known as 106-116 East Broad Street.

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

Vice President Roberts announced that Ryan Sevenski, Parks & Recreation Coordinator has resigned to pursue his degree in public administration.

**HEALTH, SAFETY & WELFARE COMMITTEE**

RESOLVED, That, the following Resolution 52-19, retirement of K-9 Fury, be adopted:

RESOLUTION 52-19

WHEREAS, due to medical reasons, K-9 Fury will be retiring from the Quakertown Police Department.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown publicly honors K9 Fury for his dedicated service and hereby instructs the Chief of Police to retire Fury's badge #5831.

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

RESOLVED, That, the following Resolution 53-19, acquiring a replacement K-9, be adopted:

RESOLUTION 53-19

WHEREAS, a K-9 unit was created in 2008 for the Quakertown Police Department; and

WHEREAS, K-9 Fury has been retired and the Quakertown Police Department would like to acquire a replacement K-9.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with obtaining a Police Dog for the Quakertown Police Department.

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

Councilman Propst mentioned the money raised from the Mutt Strutt will go to the K-9 replacement.

RESOLVED, That, the following Resolution 57-19, recognition of National Police Week, be adopted:

Police Week / Peace Officers' Memorial Day

RESOLUTION 57-19

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> 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 12 - 18, 2019, 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, THEREFORE, BE IT RESOLVED that the Borough of Quakertown shall observe Wednesday, May 15, 2019, 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 Vice President Roberts. A roll call vote was taken and the motion was unanimously carried.

Councilman Johnson mentioned so far this year in the country there has been 35 law enforcement officers who died on the line of duty.

### **PUBLIC UTILITIES COMMITTEE**

RESOLVED, That, the following Resolution 55-19, enter into AMP Mutual Aid Agreement, be adopted:

#### **RESOLUTION 55-19**

WHEREAS, American Municipal Power, Inc. (AMP) organizes and coordinates a Mutual Aid Program for the benefit of its member municipalities, wherein individual member municipalities in need of assistance in the restoration of utility service to customers during times of extreme weather, acts of God, or other natural and manmade disasters or catastrophes can contact other participating members municipalities to request such aid; and

WHEREAS, Quakertown Borough wishes to enter into a Mutual Aid Agreement with American Municipal Power, Inc. which will promote public health, safety and welfare by providing a network of municipalities capable of providing assistance should the Borough need such assistance in the event of an Emergency.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown does hereby authorize the Borough Manager to execute the Mutual Aid Agreement on behalf of the Borough.

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

### **PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 56-19, recognition of National Public Works Week, be adopted:

#### **National Public Works Week**

#### **RESOLUTION 56-19**

WHEREAS, Since 1960, American Public Works Association (APWA) has sponsored National Public Works Week. Across the nation, more than 29,000 APWA members use this week to energize and educate the public on the importance of the contribution of public works to their daily lives: planning, building, managing and operating the heart of our local communities and building the quality of life; and

WHEREAS, APWA has selected "It Starts Here" as its theme for 2019's National Public Works Week. The theme represents the many facets of modern civilization that grow out of the efforts put forth by the public works professionals across North America; and

WHEREAS, What starts here? Infrastructure starts with public works. Growth and innovation starts with public works. Mobility starts with public works. Security starts with public works. Healthy communities start with public works; and

WHEREAS, The bottom line is that citizens' quality of life starts with public works.

NOW, THEREFORE BE IT RESOLVED, by the Council of Quakertown Borough to proclaim the week of May 19 -25, 2019 "It Starts Here" 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 Councilwoman Wear, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

#### **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 54-19, amendment to the Event Application language, be adopted:

#### **RESOLUTION 54-19**

WHEREAS, the Quakertown Borough requires certain borough public gatherings along with pavilion rentals, amphitheater rentals and pool rentals to be approved by Borough Council with a completed Borough of Quakertown Event Application; and

WHEREAS, Borough Council wishes to make changes on the Event Application to include greater specific language and requirements regarding hold harmless protection for the Borough.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown Authorizes the Borough Manager and Borough Solicitor to amend the Events Application to include specific individual and or participants hold harmless language for the Borough.

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

RESOLVED, That, the following Resolution 45-19, Victoria Gonzalez's request to use the Univest Performance Center for a graduation/birthday party, be adopted:

#### **RESOLUTION 45-19**

WHEREAS, a request was received by Victoria Gonzalez of Quakertown to use the Univest Performance Center for a birthday and graduation party.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Victoria Gonzalez of Quakertown to use the Univest Performance Center on Saturday, June 1, 2019 from 12:00 pm to 8:00 pm provided they add the Borough as an additional insured on their insurance and pay the amphitheater rental fee per the 2019 fee schedule.

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

RESOLVED, That, the following Resolution 46-19, Joseph Rodriguez's request to hold a Steps for Stetler 5K race on the park trails, be adopted:

#### RESOLUTION 46-19

WHEREAS, a request was received from Joseph Rodriguez of Quakertown to hold a Steps for Stetler 5K on the trails around the baseball fields, midget football field and through the Park at 4<sup>th</sup>.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Joseph Rodriguez to hold a 5K on Sunday, May 26, 2019, from 8:00 a.m. to 1:00 p.m. 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.

RESOLVED, That, the following Resolution 47-19, Morning Star Fellowship Church's request to hold a sports camp at the Main Street Skate Park, be adopted:

#### RESOLUTION 47-19

WHEREAS, a request was received from Morning Star Fellowship Church to hold a mega sports camp on the basketball courts and around the grassy area at the Main Street Skate Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Morning Star Fellowship Church to hold a sports camp at the Main Street Skate Park on June 24, 2019 through June 28, 2019 from 6:00 pm to 8:30 pm provided they add the Borough as an additional insured on their insurance.

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

RESOLVED, That, the following Resolution 48-19, Patty Gallagher's request to use the public pool for a birthday party, be adopted:

#### RESOLUTION 48-19

WHEREAS, a request was received from Patty Gallagher of Quakertown requesting permission to hold a birthday party at the public pool.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Patty Gallagher to use the public pool on Friday, June 14, 2019 from 5:00 pm to 8:00 pm, provided they add the Borough as an additional insured on their insurance and pay the pool rental fee per the 2019 fee schedule.

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

RESOLVED, That, the following Resolution 49-19, Quakertown Fire Department's request to use Memorial Park for a carnival and a firework display, be adopted:

#### RESOLUTION 49-19

WHEREAS, a request was received from the Quakertown Fire Department to use the Quakertown Memorial Park for a Fire Department Carnival to be held August 6 - 10, 2019 and use of the Borough's band shell and dunk tank for this event; and

WHEREAS, fireworks would be held on Friday, August 9, 2019 following Borough codes and proper permits are obtained.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Fire Department to use Memorial Park for a carnival and the use of the band shell and dunk tank, fees waived as per adopted Resolution 19-06 for certain civic or charitable events, and also to hold fireworks provided that the Borough is added as additional insured on the insurance.

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

Councilman Propst announced upcoming events for the month.

President Rosenberger declared the meeting adjourned at 8:46 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