

May 20, 2020

A continued meeting from the May 6, 2020 regular scheduled Borough Council meeting was held on May 20, 2020 at 7:30 p.m.

The following members and officers were present: President Donald Rosenberger, Vice President James Roberts, Councilmembers Michael Johnson, Douglas Propst, Jon Sell, David Wilsey and Manager Scott C. McElree. Solicitor Peter Nelson and Councilman Mae Wear, absent.

There were no visitors who wished to speak.

Courtney Boehm of the Parks & Recreation Department and Matt Burns from Kompan, Inc. gave a presentation on the design concept for the Panther Playground renovation which included design features, funding sources, timeline and projected costs.

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 46-20, Memorial Park Deed Restrictive Covenant for parcel transfer, be adopted:

RESOLUTION 46-20

WHEREAS, a requirement by the Land and Water Conservation Fund (LWCF) for the Department of Conservation and Natural Resources' (DCNR) \$250,000 grant awarded to the Borough for the Panther Playground renovations is to include the following restrictive covenant for the transfer of deed:

This property, or interest in property, was either acquired with, developed or donated as a match for funds provided by the Pennsylvania Department of Conservation and Natural Resources ("Department"). The source of the funds was the Land and Water Conservation Fund (LWC) Act, 16 U.S.C. §§ 4601-4 *et seq.* ("Act"), provided through the National Park Service. This property, or any portion of it, may not be converted to purposes other than those authorized under the Act for property acquired and/or developed with Department funds. No change of use and no transfer of ownership, control, or interest in this property may occur, and no encumbrance may be placed on this property, without the written consent of the Department or its successor. The restriction in this paragraph applies to both the surface and subsurface of the property. This restriction has the effect of a covenant running in perpetuity with the land and is binding upon the owner(s) of the property and upon all subsequent owners, successors, and assigns. This restriction is enforceable by the Department and its successors.

WHEREAS, this requirement does not restrict use of Memorial Park anymore than existing restrictions.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Quakertown does hereby accept the above Deed restrictive covenant for Memorial Park and authorizes President Donald Rosenberger to sign the new deed for recording.

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

President Rosenberger questioned if this is an amendment to the original deed or a transfer of new deed with the appropriate deed restriction. Manager McElree answered it is a new deed with the new restriction.

RESOLVED, That, the following Resolution 45-20, relocating the ice skating area to the Main Street Action Park, be adopted:

RESOLUTION 45-20

WHEREAS, for years the Borough of Quakertown has offered an area located in Memorial Park for ice skating during winter months; and

WHEREAS, the Borough has the opportunity to facilitate the relocation for wintertime ice skating to a more beneficial area at Main Street Action Park.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown does hereby authorize the Borough Manager to proceed with the plans to relocate the ice skating area to the Main Street Action Park.

Councilman Propst read the resolution considering the relocation of the ice skating site to the Main Street Action Park. Councilman Johnson asked if the new site could accommodate an area for figure skating and also for ice hockey. Manager McElree replied the rink could be expanded for both skating purposes and also mentioned the restrooms in the Action Park building could be retro fitted for changing skates/shoes and also an outside fire pit could be added on the premises.

Councilman Wilsey expressed his desire to keep the skate pond in its exact location and recommends the Borough Manager to conduct further research to improve the skating site.

Vice President Roberts made a motion, seconded by Councilman Propst to table the ice skating site matter to the June 3, 2020 Council meeting and directs the Borough Manager to do further research and report back to Council. A roll call vote was taken and the motion was unanimously carried. Councilwoman Wear, absent.

President Rosenberger adjourned this continued meeting from May 6, 2020 at 9:12 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
President of Council

Attest:

Scott C. McElree
Borough Manager