

A regular meeting of the Borough Council of Quakertown was held May 6, 2020, 7:30 p.m. Due to the Covid-19 epidemic, the public was instructed to wait downstairs in the Borough Hall lobby. An audio feed of the live meeting was placed in the lobby for the public to listen to the entire meeting. Doug Wilhelm, Code Officer managed the lobby area and confirmed the meeting was audible.

The following members and officers were present: President Donald Rosenberger, Vice President James Roberts, Councilmembers Douglas Propst, Michael Johnson, Jonathan Sell, David Wilsey, Manager Scott C. McElree. Councilwoman Mae Wear, Solicitor Peter Nelson, Asst. Borough Secretary Kris Barndt and Junior Councilmembers Amanda Banes and Mason Smith were absent. If any visitors wanted to speak, they were able to go upstairs one at a time and kept at doorway with a podium and microphone for comment.

RESOLVED, That, Council minutes of April 1, 2020 and Work Session minutes of March 23, 2020 be approved as written. Motion of Councilman Wilsey, seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried. Councilwoman Wear absent, Vice President Roberts abstained due to absence last meeting.

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

March	27, 2020	\$	15,575.15
April	3, 2020		21,959.38
April	9, 2020		29,658.68
April	14, 2020		1,625.00
April	17, 2020		752,239.29
April	23, 2020		176,620.55

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

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. Councilwoman Wear absent.

Visitors:

There were no visitors wanting to speak on any agenda items.

PLANNING & ZONING COMMITTEE

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 41-20, Economic Development Consultant's Agreement extension, be adopted:

RESOLUTION 41-20

WHEREAS, the Borough Council of Quakertown has resolved to promote the Borough of Quakertown as an ideal location for business growth, investment and job creation; and

WHEREAS, the Borough Council of Quakertown has budgeted funds to obtain the services of an Economic Development Consultant to aid with the revitalization and economic goals desired by the Borough Council; and

WHEREAS, beginning in 2014, biennially entered into a Consulting Agreement with Edward Scholl and whereas the Borough wishes to extend that Consulting Contract;

NOW, THEREFORE, BE IT RESOLVED, That the Borough Council of Quakertown approves a two year extension to the Consulting Agreement for years 2020-2022 between Edward Scholl, LLC. and the Borough of Quakertown at a cost of \$60,000.00 annually.

BE IT FURTHER RESOLVED, That, the Borough Council of Quakertown authorizes the Borough Manager to sign the agreement between the Borough and Edward Scholl, LLC.

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

RESOLVED, That, the following Resolution 40-20, Lynn Kraft's proposal for plantings and maintenance of downtown planters and Park at 4ths hanging baskets for 2020, be adopted:

RESOLUTION 40-20

WHEREAS, the Borough of Quakertown has received a proposal from Lynn C. Kraft of Center Valley, Pennsylvania in the amount of \$17,833.00 for foliage, watering and fertilizing maintenance for the concrete plant containers located downtown and at the Chamber of Commerce, an additional \$1,494.15 for foliage and maintenance for the light pole planters in the Park at Fourth and \$428.00 for fall/winter holiday foliage.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Quakertown to accept the proposal dated January 1, 2020, in the amount of \$19,755.15 by Lynn C. Kraft for planting services and maintenance of downtown planters and also the Park at 4th light pole planters. The Borough Manager is hereby authorized to execute the necessary documentation.

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

RESOLVED, That, the following Resolution 44-20, extending the face payment date for the 2020 real estate tax, be adopted:

RESOLUTION 44-20

A RESOLUTION OF QUAKERTOWN BOROUGH EXTENDING
THE FACE PAYMENT DATE FOR 2020 REAL ESTATE TAXES
TO JULY 30, 2020 IN RESPONSE TO THE COVID-19 PANDEMIC.

WHEREAS, the Governor of Pennsylvania and the County of Bucks have declared states of emergency within Bucks County due to COVID-19; and

WHEREAS, the Governor of Pennsylvania has subsequently issued shutdown and shelter in place orders in response to this pandemic; and

WHEREAS, the Bucks County Board of Commissioners has extended the face payment date for the payment of County real estate taxes to July 30, 2020 due to COVID-19 and these disaster emergency declarations; and

WHEREAS, Quakertown Borough and the Quakertown Borough Tax Collector desire to assist Borough residents by extending the face payment date for Borough real estate taxes.

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of Quakertown Borough, Bucks County, Pennsylvania, that the face payment date for Borough real estate taxes (also known as the start of the penalty payment period) shall be extended to July 30, 2020.

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

Vice President Roberts mentioned this resolution does not affect many residents and mortgage companies which collect the taxes send the money to the Tax Collector by April 30th.

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 38-20, designating National Police Week for 2020, be adopted:

Police Week / Peace Officers' Memorial Day

RESOLUTION 38-20

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15th 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 10 - 16, 2020, 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 Friday, May 15, 2020, 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 Councilman Propst. A roll call vote was taken and the motion was unanimously carried. Councilwoman Wear absent.

Councilman Johnson stated that as of today there have been 61 officers killed in the line of duty in the United States.

PUBLIC UTILITES COMMITTEE

RESOLVED, That, the following Resolution 42-20, accepting and awarding bid to J.P. Smith Contractors for water tank sanding & painting, be adopted:

RESOLUTION 42-20

ACCEPT BID AND AWARD CONTRACT

RESOLVED, by the Council of the Borough of Quakertown, That, the following bid be accepted and contract awarded to J. P. Smith Contractors, Inc. of Glenside, Pennsylvania for sandblasting and repainting of the interior and the exterior of two 28,000 gallon steel water tanks at Well #19 in the amount of \$68,800.00.

The contract is awarded in accordance with bids solicited through PennBid and opened on April 3, 2020. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 39-20, designating National Public Works Week for 2020, be adopted:

National Public Works Week

RESOLUTION 39-20

WHEREAS, public work professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the Borough of Quakertown; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the Borough of Quakertown to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2020 marks the 60th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE BE IT RESOLVED, by the Council of Quakertown Borough to proclaim the week of May 17 -23, 2020 as National Public Works Week and urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety and quality of life.

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

RESOLVED, That, the following Resolution 43-20, considering action against Evercor Landscaping Services, Inc.'s performance bond, be adopted:

RESOLUTION 43-20

WHEREAS, the Borough of Quakertown had issued a request for bids for lawn maintenance services for years 2019, 2020 & 2021; and

WHEREAS, Evercor Landscaping Services, Inc. submitted the lowest bid; and

WHEREAS, the Borough of Quakertown entered into a Contract with Evercor for lawn maintenance services for the years 2019, 2020 & 2021; and

WHEREAS, within weeks of starting work under the Contract, Evercor was failing to perform to the Borough's level of expected service and failing to fulfill the requirements of the Contract; and

WHEREAS, the Borough Staff held several meetings with Evercor's representatives to remedy the issues with the level of service and the quality of Evercor's work; and

WHEREAS, the Borough of Quakertown received a letter from Evercor on October 3, 2019 requesting to be released from the Contract; and

WHEREAS, in response to this letter, the Borough of Quakertown undertook negotiations with Evercor concerning releasing Evercor from the Contract without filing a claim against Evercor's Performance Bond; and

WHEREAS, in response to this letter and Evercor's inability to meet the requirements of the Contract, the Borough of Quakertown issued a new request for bids to find a replacement for Evercor to provide lawn maintenance services to the Borough; and

WHEREAS, negotiations with Evercor failed to reach a mutually agreeable settlement to releasing Evercor from the Contract without a claim against Evercor's Performance Bond; and

WHEREAS, on March 4, 2020, the Borough entered into a new lawn services contract with another company and terminated the Contract with Evercor; and

WHEREAS, this new lawn services contract increases the cost of these services to the Borough of Quakertown for the years 2020 and 2021 over those in Evercor's Contract.

NOW THEREFORE BE IT RESOLVED, that the Council of the Borough of Quakertown directs the Borough Solicitor and Borough Manager to make a claim with the Surety that provided Evercor's Performance Bond for the additional costs experienced by the Borough for the remainder of the 2019-2021 Contract and take such actions necessary to support and prosecute this claim.

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

Manager McElree stated that within the next week or two upon Council's approval, Solicitor Nelson will file the claim with the insurance company.

PARKS & RECREATION COMMITTEE

Councilman Propst stated that there are not any items under the Parks & Recreation Committee.

Manager McElree gave an update regarding the Covid-19 and matters with the Borough's park and recreation. Regarding the Skate Park project, the Borough is ready to start that as soon as the Governor opens up construction. A compacting test will need to be done, then the Borough will start the site work, bring to grade, installation for storm water, then ARC, Inc. will hopefully start mid year. The skate park is currently closed due to the Covid-19.

The concept has been developed for the Panther Playground. Courtney Boehm from the Parks & Recreation Department is expected to give an updated presentation to Council.

The Borough is still in level Red with the rest of the State so we are limited as to what the Borough can do. The parks, not including the playground equipment, and trails are open.

There have been regular weekly meetings with the Parks & Recreation Department concerning how to manage the kid's programs, pool, and other scheduled events like Movie In the Park and the Food Truck Event.

President Rosenberger adjourned the meeting until Wednesday, May 20, 2020 at 7:30 pm for the purposes of viewing the Panther Playground update. The Work Session scheduled for May 18, 2020 will be postponed.

President Rosenberger declared the meeting adjourned at 8:17 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
President of Council

Attest:

Scott C. McElree
Borough Secretary