

A regular meeting of the Borough Council of Quakertown was held December 2, 2020, 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, David Wilsey, Mae Wear, Manager Scott C. McElree, Junior Councilmember Mason Smith, Solicitor Peter Nelson by zoom, Asst. Borough Secretary Kris Barndt, absent.

RESOLVED, That, the Work Session Minutes of October 26, 2020 be approved as written. 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 check registers be approved for payment:

October 30, 2020	\$ 17,124.43
November 6, 2020	33,901.05
November 12, 2020	196,134.89
November 20, 2020	470,878.89
November 23, 2020	593,748.27
November 24, 2020	30,082.26

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

There were no visitors wanting to speak on any agenda items. David Yates was present for his Conditional Use Hearing.

President Rosenberger temporarily adjourned the Council meeting at 7:40 pm to open the Conditional Use Hearing for the property at 112 Front Street, owner David Yates to create a 9-unit residential apartment building (conversion of an existing structure). The Conditional Use Hearing was properly advertised.

All members of Council were present. Solicitor Nelson conducted the hearing by zoom.

President Rosenberger re-opened the Council meeting at 8:10 pm.

Full transcript is on file in the Zoning office.

PLANNING & ZONING COMMITTEE

Councilman Sell made a motion to accept David Yate's Conditional Use for 112 Front Street with the provision that the applicant develops the property in conformance with the evidence and testimony presented tonight. President Rosenberger stated the conditional use be granted provided the front of the building will be all brick. Motion seconded by Councilman Johnson. A roll call vote was taken and the motion was unanimously carried.

Solicitor Nelson will compose the Decision and Order which Council will vote on next month.

RESOLVED, That, the following Resolution 88-20, approving the Solicitor's November 4, 2020 Conditional Use Hearing Decision for Elan Shirman, 25 S. Second Street, be adopted:

RESOLUTION 88-20

WHEREAS, a public hearing was held on November 4, 2020 with the Borough Council of the Borough of Quakertown for Elan Shirman's Conditional Use Application concerning the conversion of an existing building located at 25 S. Second Street (Tax Map Parcel Number 35-008-314) into a nine-unit apartment building; and

WHEREAS, Elan Shirman's requested Conditional Use was granted and the Borough Council approves the Decision and Order prepared by Borough Solicitor Peter Nelson.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 80-20, setting Council Meetings, Work Sessions and the annual Quakertown Area Industrial & Commercial meeting dates for year 2021, be adopted:

RESOLUTION 80-20

RESOLVED, That, the Council of the Borough of Quakertown will conduct regular meetings at 7:30 p.m. on the following dates in year 2021: Wednesdays; January 6, February 3, March 3, April 7, May 5, June 2, July 7, August 4, September 1, October 6, November 3 and December 1; and also the Council of the Borough of Quakertown Work Sessions will be held on Mondays; January 25, February 22, March 22, April 26, May 24, June 28, July 26, August 23, September 27, October 25 and November 22 commencing at 7:30 p.m.

BE IT FURTHER RESOLVED, That the Quakertown Area Industrial & Commercial Development Authority will hold their annual meeting on Monday, February 22, 2021 commencing at 7:15 p.m. All meetings will be held in Council Chambers on the second floor of Borough Hall.

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

RESOLVED, That, the following Resolution 85-20, passing of the 2021 budget, be adopted:

RESOLUTION 85-20

WHEREAS, the Borough Council of the Borough of Quakertown has reviewed and held a public meeting on the consideration of the proposed 2021 Budget.

NOW, THEREFORE, BE IT RESOLVED, That, the 2021 Budget be adopted as presented.

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

Vice President Roberts read Ordinance 1231, setting the tax rate for 2021, in full.

RESOLVED, That, Ordinance 1231, an Ordinance fixing the Borough Tax Rate on real estate for 2021, be passed.

ORDINANCE 1231

AN ORDINANCE OF THE BOROUGH OF QUAKERTOWN, COMMONWEALTH OF PENNSYLVANIA, FIXING THE TAX RATE ON REAL ESTATE WITHIN THE BOROUGH FOR THE FISCAL YEAR 2021.

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

RESOLVED, That, the following Resolution 86-20, appointing of auditing firm for 2020, be adopted:

RESOLUTION 86-20

RESOLVED, That, the Borough Council of Quakertown, Pennsylvania, appoints the firm of Hutchinson, Gillahan & Freeh of Quakertown, Pennsylvania, to perform the 2020 annual audits of the Borough financial statements at the proposed fee of \$28,850; \$3,500 if a single audit is required and \$125.00 per hour of additional services and the audit of the Quakertown Area Industrial & Commercial Development Authority at the proposed fee of \$1,675.00 and \$125.00 per hour of additional services as detailed in the Hutchinson, Gillahan & Freeh engagement letters dated November 6, 2020.

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 87-20, directing Borough Manager to pursue actions for a new Borough Trash service, be adopted:

RESOLUTION 87-20

WHEREAS, Mascaro and Sons, Inc., our contracted trash hauler is seeking to dissolve our existing contract prior to the agreed term; and

WHEREAS, the Borough of Quakertown needs to react to any contingency that may result as a dissolution of this contract; and

WHEREAS, the time frame for any possible dissolution may present a matter of great urgency.

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Quakertown authorizes and directs the Borough Manager to pursue the following actions:

1. Ascertain any and all legal ramifications of the dissolution of the existing contract.
2. Ascertain the complete feasibility of the Borough undertaking the collection of trash within the Borough which will include the investigation of the purchase of equipment, provision of needed additional staffing, planning of procedures, information regarding the securing of tipping fees and any and all other matters pertaining to the process of developing our own trash collection program, and further.

RESOLVED, that the Manager, in communication with the Audit Committee, shall seek to provide to the Borough Council a developed plan at a meeting of the Borough Council as soon as possible.

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

HEALTH, SAFETY & WELFARE COMMITTEE

Councilman Johnson stated that there are not any items under the Health, Safety & Welfare Committee.

The annual Shop with a Cop will be held December 10, 2020 at Walmart, 4:00 pm. There will be 160 children participating, 40 police officers from various departments and as of date \$53,000 has been raised for this cause.

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 89-20, awarding bid to the design engineer for the Waste-Water Plant upgrade, be adopted:

RESOLUTION 89-20

RESOLVED, by the Council of the Borough of Quakertown, That, the following proposal be accepted and contract awarded to BCM Engineers of Plymouth Meeting, Pennsylvania for design engineering services for the waste-water plant expansion project in the amount of \$576,000.00.

The contract is awarded in accordance with proposals received on November 5, 2020 and the recommendation from the Borough's waste-water engineers, SC Engineers, Inc. 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.

RESOLVED, That, the following Resolution 90-20, contract with Microbac Laboratories, Inc. for the Waste-Water Plant's onsite laboratory services, be adopted:

RESOLUTION 90-20

RESOLVED, by the Council of the Borough of Quakertown, that the Waste-Water Treatment Plant's on-site laboratory management contract with Microbac Laboratories, Inc. of Pittston, PA due to expire December 31, 2020 be renewed for years 2021-2023 with the following cost:

Year 2021 - \$128,000.00
Year 2022 - \$131,840.00
Year 2023 - \$135,795.00

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.

PUBLIC WORKS COMMITTEE

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

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 81-20, Fellowship of Christian Athletes' request to hold a Candy Cane 5K Run in the Park at 4th, be adopted:

RESOLUTION 81-20

WHEREAS, Jessica Martin of the Fellowship of Christian Athletes has requested to hold a Candy Cane 5K event through the Park at 4th on December 12, 2020.

BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the Fellowship of Christian Athletes' to hold a 5K event through the Park at 4th on December 12, 2020 from 9:00 am to 4:00 pm in accordance to the Governor's restrictions at that specific time and also that the Borough is 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.

RESOLVED, That, the following Resolution 82-20, Calvary Church's request to use the amphitheater for their Christmas service, be adopted:

RESOLUTION 82-20

WHEREAS, Jeremiah Link of Calvary Church has requested to use the Univest Performance Center for a Christmas service on Saturday, December 19, 2020 provided the Governor's conditions and executive orders are permissible at that date.

BE IT RESOLVED, That, the Council of the Borough of Quakertown grants Calvary Church's request to use the Univest Performance Center on December 19, 2020 from 6:00 pm to 9:00 pm pending the Governor's restrictions and that the Borough is 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.

RESOLVED, That, the following Resolution 83-20, En Avant School of Dance's request to use the amphitheater for dance recitals, be adopted:

RESOLUTION 83-20

WHEREAS, Angela Mattos of En Avant School of Dance, Bethlehem PA has requested to use the Univest Performance Center for their 2021 dance recitals on Wednesday, May 26, Thursday, May 27, Friday, May 28, Saturday, May 29 and Sunday, May 30 provided the Governor's conditions and executive orders are permissible at these dates.

BE IT RESOLVED, That, the Council of the Borough of Quakertown grants En Avant School of Dance's request for use of the Univest Performance Center from May 26, 2021 through May 29, 2021, pending the Governor's restrictions at the specified dates and that the Borough is 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.

RESOLVED, That, the following Resolution 84-20, Miss Cindy's School of Dance's request to use the amphitheater & trailer for dance recitals, be adopted:

RESOLUTION 84-20

WHEREAS, Cindy Johnston of Miss Cindy's School of Dance has requested to use the Univest Performance Center and trailer for her school's 2021 dance recitals on Tuesday, June 22, Wednesday, June 23, Thursday, June 24, Friday, June 25 and Saturday, June 26 provided the Governor's conditions and executive orders are permissible at these dates.

BE IT RESOLVED, That, the Council of the Borough of Quakertown grants Cindy Johnston's request for use of the Univest Performance Center and trailer from June 22, 2021 through June 26, 2021 pending the Governor's restrictions at the specified dates and that the Borough is 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 92-20, approving the Action Skate Park sign design, be adopted:

RESOLUTION 92-20

WHEREAS, the Borough of Quakertown has received a sign design proposal from the Action Park Committee for placement at the skate park located at 670 S. Main Street; and

WHEREAS, the proposed two sided sign will have a static feature, as well as, a digital sign component and meet the Borough's sign requirements.

NOW, THEREFORE, BE IT RESOLVED, that, the Council of the Borough of Quakertown grants the sign proposal from the Action Park Committee which will be acquired at the Free Fall Energy Center's expense.

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

President Rosenberger declared the meeting adjourned at 8:47 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
President of Council

Attest:

Scott C. McElree
Borough Secretary