

A regular meeting of the Borough Council of Quakertown was held March 3, 2021, 7:35 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, Solicitor Peter Nelson, Asst. Borough Secretary Kris Barndt and Junior Councilmember Mason Smith.

RESOLVED, That, Council minutes of February 3, 2021 and the Work Session Minutes of January 25, 2021 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:

January	29, 2021	\$ 26,271.05
February	5, 2021	212,320.08
February	12, 2021	22,931.40
February	18, 2021	588,746.62
February	25, 2021	200,845.11

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

Vice President Roberts announced that the Borough from time to time makes purchases from the Friendly Bookstore which Mr. Roberts is a proprietor, and the Borough Solicitor has advised that Mr. Roberts abstain from the approval of those invoices.

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.

Visitors wishing to speak:

Grant Heywood – 155 S. Ninth Street wished to speak in reference to the trash.

### **PLANNING & ZONING COMMITTEE**

RESOLVED, That, the following Resolution 43-21, Sub-division application from Phoenix Country Square Shopping, Ltd. for 240 S. West End Boulevard, be adopted:

#### RESOLUTION 43-21

WHEREAS, Phoenix Country Square Shopping Center, Ltd. has filed a subdivision plan to subdivide 11.35 acres at 240 S. West End Boulevard, Tax Map Parcel #35-003-001 which consists of a one story retail center and a QNB branch with a drive through service into two lots, (Lot 1) of 9.64 acres and (Lot 2) of 1.72 acres; and

WHEREAS, the Quakertown Planning Commission and the Bucks County Planning Commission have reviewed and recommended approval of the plan dated 12/21/2020.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the plan dated December 21, 2020 for the two lot subdivision of 240 S. West End Boulevard is approved. The plan must be recorded in Bucks County within ninety (90) days.

Motion of Councilman Sell, seconded by Vice President Roberts. A motion to amend the first motion was made by Councilman Sell, seconded by Councilman Propst to add a provision that the Solicitor be directed to send an approval letter to the applicant with the standard conditions. A roll call vote was taken and the motion was unanimously carried.

President Rosenberger temporarily adjourned the Council meeting at 7:40 pm to open the Conditional Use Hearing for the property at 216 S. Apple Street, owner Vincent Randazzo.

All members of Council were present. Solicitor Nelson conducted the hearing. The Conditional Use Hearing was properly advertised. The applicant is looking to convert an existing structure into a nine unit residential apartment building. Vincent Randazzo was present along with Jeff Gross, architect with Form Space Design and Zack Irick from Lewis Brothers Construction. Mr. Gross explained the project.

Vice President Roberts made a motion to close the hearing and accept all the exhibits entered as evidence, seconded by Councilman Propst. A roll call vote was taken and the motion was unanimously carried.

President Rosenberger re-opened the Council meeting. Councilman Sell made a motion to approve the Conditional Use provided it is constructed and developed in accordance with the plans and evidence presented here tonight and in accordance with all applicable Borough ordinances, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

A Decision and Order from this hearing will be created by Solicitor Nelson and will be on file in the administrative office.

## **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 35-21, establishing a Solid Waste Fund for the new trash and recycling program, be adopted:

### **RESOLUTION 35-21**

WHEREAS, Resolution 18-21 was adopted on January 6, 2021, authorizing the start-up of the Borough trash and recycling removal services for residents; and

WHEREAS, the Borough of Quakertown intends to create an enterprise fund titled "Solid Waste Fund -05" for the purpose of providing trash and recycling services; and

WHEREAS, the Solid Waste Fund requires monies for the start up of the trash and recycling program and the Finance Director requests authorization to borrow from the Electric Fund -07 for that purpose.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants the approval to create an enterprise fund titled Solid Waste Fund -05 and further grants approval to borrow monies from the Electric Fund -07 for the purpose of financing the institution of the trash and recycling program. Such monies are scheduled to be repaid within an anticipated four year period.

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

## **HEALTH, SAFETY & WELFARE COMMITTEE**

RESOLVED, That, the following Resolution 31-21, Police Department's request to destroy evidence/property from 2018, be adopted:

### **RESOLUTION 31-21**

WHEREAS, evidence/property have accumulated in the Police Department evidence storage facility collected from police operations from year 2018, some of which was evidence and some was recovered lost or stolen property; and

WHEREAS, the Quakertown Police Department will follow appropriate protocol by burning the drugs and drug paraphernalia on the itemized list and memo dated February 4, 2021.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown Pennsylvania directs the Quakertown Police Department to appropriately dispose of the evidence/property attached.

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

## **PUBLIC UTILITIES COMMITTEE**

RESOLVED, That, the following Resolution 37-21, pursue discussions with Anaergia Engineering relative to the Wastewater Treatment Plant expansion, be adopted:

### **RESOLUTION 37-21**

WHEREAS, the Borough Administration has been studying the possibility of the expansion of the capacity and services related to our Waste Water Treatment Plant (WWTP); and

WHEREAS, the Borough Council views favorably the various recommendations made by the Borough Manager and the Superintendent of our WWTP at our Work Session held on February 22, 2021; then be it

RESOLVED, by the Borough Council of the Borough of Quakertown that the Administration be directed to pursue further discussions with Anaergia Engineering in order to provide all the necessary information which will allow the Borough Council to make further determinations regarding any and all future contracts relative to engineering, construction and operation of an expanded WWTP.

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 36-21, awarding bids to Denali Water Solutions for sewer sludge disposal, be adopted:

### **RESOLUTION 36-21 ACCEPTING BIDS AND AWARDING CONTRACTS**

RESOLVED, by the Council of the Borough of Quakertown, That, the following bids for sewer sludge disposal be accepted and contracts awarded to Denali Water Solutions, Inc., as per bids opened February 18, 2021.

*Denali Water Solutions* for landfill disposal, as follows:

Year 1 — \$85.00/wet ton  
Year 2 — \$85.00/wet ton  
Year 3 — \$85.00/wet ton

*Denali Water Solutions* for land application use, as follows:

Year 1 — \$25.00/wet ton  
Year 2 — \$25.00/wet ton  
Year 3 — \$25.00/wet ton

*Denali Water Solutions* for alternative use, as follows:

Year 1 — \$85.00/wet ton  
Year 2 — \$85.00/wet ton  
Year 3 — \$85.00/wet ton

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**

There were no items on the agenda for the Public Works Committee.

Grant Heywood was welcomed to speak at this time. Mr. Heywood stated he would not ask his questions tonight and would come back at a Work Session or make a telephone call to the Borough Manager. Borough Manager McElree replied that he would reach out to Mr. Heywood tomorrow.

Councilwoman Wear read the following regarding the death of Borough employee Allan Whitaker:

Allan Whitaker passed away Wednesday, February 24, 2021 at the age of 64 after a short illness. Allan was a faithful employee of the Borough Public Works Department since November 2009. His primary duties were park maintenance, street sweeping and was part of the snow plowing and leaf collection teams. We express our deepest sympathies to his wife Maureen.

### **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 32-21, East Swamp Church's request to hold Easter service at the amphitheater, be adopted:

#### RESOLUTION 32-21

WHEREAS, Sabina Kineen of East Swamp Church has requested to use the Univest Performance Center for their Easter service on Sunday, April 4, 2021 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 East Swamp Church's request to use the Univest Performance Center on April 4, 2021 pending the Governor's restrictions and that the Borough is an additional insured on the 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 33-21, Fitzpatrick Irish Dancer's request to hold a dance recital at the amphitheater, be adopted:

RESOLUTION 33-21

WHEREAS, Kathleen Murray of Fitzpatrick Irish Dancers, Sellersville, PA has requested to use the Univest Performance Center for her school's 2021 dance recital on Thursday, June 3 from 5:00 pm to 9:00 pm, rain date June 4, 2021.

BE IT RESOLVED, That, the Council of the Borough of Quakertown grants Kathleen Murray's request for use of the Univest Performance Center on June 3, 2021, pending the Governor's restrictions at that specified date and 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 40-21, accepting the QNB Playground Naming Rights Agreement, be adopted:

RESOLUTION 40-21

WHEREAS, the Borough of Quakertown, through its Borough Manager and Solicitor's office has negotiated a Naming Rights Agreement with QNB Bank of Pennsylvania ("QNB") for naming rights of the playground in Memorial Park located on Mill Street.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown wishes to accept the terms and conditions in the presented Naming Rights Agreement between the Borough of Quakertown and QNB Bank of Pennsylvania and authorizes the Borough Manager to sign the Agreement.

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

President Rosenberger thanked QNB for their participation in the new Borough playground.

RESOLVED, That, the following Resolution 41-21, amending the Naming Right Policy, be adopted:

RESOLUTION 41-21

WHEREAS, Borough Council previously adopted a Naming Rights Policy on June 7, 2017 to provide guidance in approving philanthropic, honorary, and corporate naming rights for Borough owned or controlled property or facilities; and

WHEREAS, with future anticipated Borough projects that present naming opportunities, it is recommended by the Borough Solicitor to amend the current Naming Rights Policy as shown attached.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown does hereby amend the Naming Rights Policy per the attached recommended changes.

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 42-21, proceed with the Pool Complex Feasibility Study, be adopted:

RESOLUTION 42-21

RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with the MKSD Architects' Feasibility Study proposal dated January 19, 2021, not to exceed \$53,000.00 for the new swimming pool complex and authorizes the Borough Manager to sign the Contract for Pool Complex Feasibility Study between the Borough and MKSD Architects.

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

Solicitor Nelson mentioned that the language is still being worked out between his office and the architect's office. A revised Contract which is part of the materials will be forwarded when complete.

President Rosenberger asked if the pool will be closed for this coming season. Manager McElree explained the pool will start to be deconstructed to see what part, if any of the pool can be repurposed. A lot of that will most likely be happening over the summer. September looks like when the construction will start on the new design of the pool. A question was asked regarding the current pool building. Manager McElree stated that building will most likely have a second floor added to it.

Councilman Propst mentioned the pool survey was just sent out to the residents to see what features they like and do not like. Manager McElree added he will be coming to Council in the near future for suggestions as to what to do with the snack stand. An option is to have more vending machines with less employees making food and on busy times possibly have a food truck.

RESOLVED, That, the following Resolution 38-21, creating a License Agreement for the Quakertown Midget Football Association, Quakertown Soccer Club and Quakertown Youth Baseball Association, be adopted:

RESOLUTION 38-21

WHEREAS, to update and set the policies and practices with entities who use the Borough's properties and facilities, the Borough Council of the Borough of Quakertown desires to create License Agreements with the Quakertown Soccer Club, Quakertown Youth Baseball Association and the Quakertown Midget Football Association.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes the proper Borough officials to sign the above listed License Agreements.

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

Councilman Propst requested after all Agreements are signed with the different sports teams that each member of Council receive a copy.

RESOLVED, That, the following Resolution 39-21, accept the Facilities and Fields Use Policy for various sports organizations, be adopted:

RESOLUTION 39-21

WHEREAS, a Facilities and Fields Use Policy has been prepared to establish and provide guidelines and procedures pertaining to the numerous sports organizations the Borough has relationships with including football, soccer, baseball and the stadium associations.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown does hereby adopt the new Facilities and Fields Use Policy.

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

Councilman Propst announced there is an Easter Egg Hunt planned for March 27, 2021.

The Trolley Barn Wine and Beer Festival is rescheduled for some time in October, 2021.

Manager McElree asked Council to consider this meeting be adjourned on March 22, 2021. Dealing with the Wastewater Treatment Plant, Anaergia is planning on forwarding a proposal next week for design only of the plant upgrade. This proposal would go to Council for approval at the continued meeting on March 22<sup>nd</sup>.

President Rosenberger announced at 8:40 pm, this meeting will not be adjourned until March 22, 2021 and asked the Finance Sub Committee to meet with the Borough Manager strictly to go over financial projections on the Wastewater Plant upgrade.

BOROUGH OF QUAKERTOWN

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Donald E. Rosenberger  
President of Council

Attest:

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Scott C. McElree  
Borough Secretary