

A regular meeting of the Borough Council of Quakertown was held April 7, 2021, 7:35 p.m.

The following members and officers were present: President Donald Rosenberger, Vice President James Roberts, Councilmembers Jonathan Sell, Mae Wear, Michael Johnson, David Wilsey, Douglas Propst, Solicitor Peter Nelson, Manager Scott C. McElree, Asst. Borough Secretary Kris Barndt and Junior Councilmember Mason Smith.

RESOLVED, That, the Council Minutes of March 3, 2021 & March 22, 2021 and Work Session minutes of February 22, 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:

February	26, 2021	\$	197,916.85
March	5, 2021		41,222.98
March	12, 2021		40,045.62
March	19, 2021		539,515.70
March	25, 2021		333,896.22
March	26, 2021		504,679.98

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

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:

Paul Reimel, 391 Raub Road, Quakertown would like to make a comment praising Megan Unger, employee in the Utility Billing Department.

Terry Weiss, 134 N. Ambler Street, would like to address Council regarding a code violation he received.

Ken Carr, 30 Rosemont Avenue, would like an update on the trash toter delivery.

President Rosenberger indicated Mr. Reimel could speak at this time. Mr. Reimel wished to thank Megan Unger from the Utility Billing Department for alerting him that his water usage had skyrocketed at one of his apartments. Mr. Reimel went and researched the problem and resolved tenant issues that he had been having there.

PLANNING & ZONING COMMITTEE

Councilman Sell indicated that Mr. Weiss could speak at this time. Mr. Weiss said he received a letter from the Borough because his neighbors are complaining about his vehicles parked on his street and the alley. Manager McElree explained this has been an ongoing issue and Mr. Weiss received a warning letter and violation notice that he is in violation of the zoning code. The Borough has received numerous complaints from several neighbors. Mr. Weiss lives in a residential zoned area and is not zoned commercial. He works on trucks and cars, its noisy and it is not an acceptable use in that zoning district. Mr. Weiss blocks the alley behind the houses with vehicles he is working on and cars he owns and the Borough has progressively sent warning letters and has been contacted regarding this issue and he refuses to comply.

If he receives a citation he can appeal through the court. The alley and easement is to be open at all times for emergency vehicles and cannot be blocked.

RESOLVED, That, the following Resolution 50-21, establish a Contract for Professional Services between a developer and the Borough, be adopted:

RESOLUTION 50-21

WHEREAS, the Borough of Quakertown, through its Borough Manager and Solicitor's office has created a Contract for Professional Services for the purposes of establishing legal responsibilities and relationships between a developer and the Borough's professional services costs such as plan reviews, studies, surveys, legal costs, etc.; and

WHEREAS, in order to protect the Borough, the Contract for Professional Services has a component for establishing an escrow account for larger development projects.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown wishes to accept the terms and conditions in the Contract for Professional Services for future larger projects in the Borough.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 45-21, adding a mattress bag purchase to the 2021 Fee Schedule, be adopted:

RESOLUTION 45-21

WHEREAS, Resolution 8-21 was adopted on January 6, 2021, and established the fees associated with Borough services for the year 2021; and

WHEREAS, the Borough wishes to add a mattress bag charge for \$5.00 under the Solid Waste Department fund:

Solid Waste Department - Trash

<u>Minimum Monthly Charges</u>	
Regular Residential Trash/Recycling Service	\$ 29.00
Senior Residential (Over Age 62) Trash/Recycling Service	\$ 16.00
Commercial – Small Business	\$ 29.00
<u>Waste or Recycling Receptacle</u>	
Per Can Purchase Charge	\$ 30.00
<u>Mattress Bag</u>	
Per Bag Purchase Charge	\$ 5.00

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Quakertown wishes to amend the 2021 Fee Schedule to reflect the \$5.00 mattress bag fee.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 49-21, proceed with Police Officer testing, be adopted:

RESOLUTION 49-21

RESOLVED, That, the Council of the Borough of Quakertown directs the Borough Manager to proceed with Police testing to obtain a current civil service eligibility list.

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

RESOLVED, That, the following Resolution 53-21, VFW's request to hold the Memorial Day Parade, be adopted:

RESOLUTION 53-21

WHEREAS, a request was received for a public gathering permit from the Quakertown American Legion.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit to the Quakertown American Legion for the Memorial Day Parade and ceremony to be held on May 31, 2021 given the Governor's conditions and executive orders at that time and also the use of the bandshell, provided they add the Borough as an additional insured on the insurance.

NOW, BE IT FURTHER RESOLVED, That, the Borough Council of the Borough of Quakertown waives the fee for the use of the bandshell.

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

RESOLVED, That, the following Resolution 54-21, the Department of Health's request to spray for mosquitos, be adopted:

RESOLUTION 54-21

WHEREAS, the Council of the Borough of Quakertown is willing to aid in the reduction of the spread of the West Nile Virus.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants permission to the Bucks County Department of Health allowing a mosquito treatment program by dusting impacted water basins and implementing mosquito traps.

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

Manager McElree mentioned Saturday, May 15, 2021 will be the police testing date and the advertisement will be going out tomorrow. The testing will be held at Faith Christian School in Milford. Manager McElree invited anyone from Borough Council to participate.

PUBLIC UTILITIES COMMITTEE

Councilman Wilsey indicated that Mr. Carr could speak at this time. Mr. Carr would like an update on the new trash toter delivery. Manager McElree stated last week the trash toter delivery began and is going a little slower than anticipated. The toters need to be constructed as they come with wheels and lids which need to be attached to each. Ten to fifteen percent of cans have been delivered so far. Within the next two weeks the delivery of the toters is expected to be complete. The old Mascaro toters will also be collected.

Manager McElree stated additional 32 gallon toters can be purchased through the Borough which will be delivered to that residence and added to their utility bill. Mascaro's 96 gallon toters had a weight limit of forty pounds, now the Borough provides the opportunity to have 96 gallons through having three 32 gallon toters at forty pounds per toter or a resident can choose to go out and get an additional can up to 55 gallons, but cannot exceed forty pounds.

A question was asked if it would be more efficient to use a trash truck with an arm. Councilman Wilsey stated there needs to be enough clearance to grab the toters and the toters have to be set directly at the curb so that the truck arm can lift it. Collecting with an arm lift gets messy with trash blowing around on windy days when the toter is being lifted and dumped.

President Rosenberger asked for another meeting discussion, what the precedent is when our trash collectors come to a toter which is over forty pounds.

RESOLVED, That, the following Resolution 52-21, accept specifications and purchase of new trash truck, be adopted:

RESOLUTION 52-21

RESOLVED, by the Council of the Borough of Quakertown, That, the Borough acquires a 2022 trash truck not to exceed the total amount of \$191,797.02 to be paid from the Borough's Enterprise Fund to be paid back over six years (by the end of 2027). The Borough Manager is hereby authorized to execute the said documents on behalf of the Borough of Quakertown.

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

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 48-21, accept bids and award contract for Road Materials for 2021-2023, be adopted:

RESOLUTION 48-21 ACCEPTING BIDS AND AWARDING CONTRACT

Resolved, by the Council of the Borough of Quakertown, That, the following bids for road materials be accepted and contract awarded to:

Naceville Materials, of Doylestown, Pennsylvania for:

Material	2021	2021	2022	2022	2023	2023
<i>(Priced per ton)</i>	Pickup	Delivered	Pickup	Delivered	Pickup	Delivered
QPR 2000 Cold Patch	Costars		Costars		Costars	
#10 Screenings	9.00	13.17	9.00	13.17	9.50	13.67
#8 Washed Crushed Stone	15.75	19.92	15.75	19.92	16.25	20.42
#57 Washed Crushed Stone	11.25	15.42	11.25	15.42	11.75	15.92
#3 Crushed Stone	11.00	15.17	11.00	15.17	11.50	15.67
2-A Modified	7.75	11.92	7.75	11.92	8.25	12.42
3-A Modified	8.50	12.67	8.50	12.67	9.00	13.17
R-4 Shot Rock	14.75	18.92	14.75	18.92	15.25	19.42
1/4 Inch Anti Skid	15.50	19.67	15.50	19.67	16.00	20.17
2-B 3/4 clean	11.25	15.42	11.25	15.42	11.75	15.92

The contract is awarded in accordance with the bid opened March 11, 2021. The term of the contract is September 1, 2021 to September 1, 2023. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

RESOLVED, That, the following Resolution 51-21, PennDot's request to install railroad crossing warning devices on Mill Street, be adopted:

RESOLUTION 51-21

A RESOLUTION AUTHORIZING PENNDOT TO
REQUEST RAILROAD CROSSING UPGRADES AT
MILL STREET FROM THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

WHEREAS, Mill Street is a public roadway under the jurisdiction of the Borough of Quakertown;
and

WHEREAS, a railroad operates through the Borough of Quakertown, which railroad maintains crossing over Mill Street; and

WHEREAS, in order for the improvements to the Mill Street crossing to be made pertaining to the railroad crossing, such improvements must be submitted to the Pennsylvania Public Utility Commission ("PUC") by and through the Pennsylvania Department of Transportation ("PennDOT");

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Quakertown, as follows:

1. PennDOT is authorized on behalf and for the Borough of Quakertown to request approval of the PUC to install appropriate warning devices at the railroad crossing at Mill railroad crossing in the Borough of Quakertown.

2. PennDOT is authorized on behalf, and for the Borough of Quakertown, to issue Notice-to-Proceed letters to the railroad for construction at the railroad crossing at Mill Street in the Borough of Quakertown.

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

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 44-21, Men's Slow Pitch Softball League's request to use the softball field on Mill Street, be adopted:

RESOLUTION 44-21

WHEREAS, a request was received from the Quakertown Slow Pitch League requesting use of the softball field in Memorial Park for a Men's Slow Pitch League.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Men's Slow Pitch League to use the softball field in Memorial Park on Tuesdays, Wednesdays and Thursdays, starting on May 18, 2021 through August 28, 2021, with games starting at 6:15 pm and the second game starting immediately upon conclusion of the first game, given the Governor's conditions and executive orders at that time provided each of the softball teams 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.

Councilman Propst announced the ground breaking for the new playground will be April 8th at noon. The annual work day is April 24, 2021 in the parks and on borough properties.

Manager McElree announced Officer McCaslin's last day was April 3, 2021. Officer McCaslin is moving and wanted to pass along his gratitude to Council for giving him the opportunity to serve in our community.

President Rosenberger declared the meeting adjourned at 8:33 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
President of Council

Attest:

Scott C. McElree
Borough Secretary