

A regular meeting of the Borough Council of Quakertown was held October 6, 2021, 7:29 p.m.

The following members and officers were present: Councilmembers Jonathan Sell, Michael Johnson, David Wilsey, Douglas Propst, Councilwoman Wear, Manager Scott C. McElree, Asst. Borough Secretary Kris Barndt and Solicitor Peter Nelson. Absent: President Donald Rosenberger and Vice President James Roberts, absent. Councilman Propst chaired the meeting.

RESOLVED, That, the Council Minutes for September 1, 2021 and continued meeting of September 14, 2021 and Work Session for July 26, 2021 be approved as written. Motion of Councilman Johnson, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried. President Rosenberger and Vice President Roberts, absent.

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

August	27, 2021	-	\$	664,225.74
September	3, 2021	-		221,749.58
September	10, 2021	-		31,304.69
September	17, 2021	-		688,748.84
September	24, 2021	-		141,493.98
September	29, 2021	-		1,327,607.88

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

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. President Rosenberger and Vice President Roberts, absent.

There were several visitors present at the meeting wanting to comment on the flooding at their properties from the effects of Hurricane Ida.

Alissa Desris, 713 E. Broad Street. Ms. Desris stated they all are present to see what the Borough is going to do to help their continuous flooding situation. Ms. Desris stated in the seventeen years she has lived on E. Broad Street she has had three insurance claims due to flooding and said the insurance company is going to start questioning what is being done to resolve the problems. Ms. Desris said she has reached out to the Borough since 2010, was told many different things and nothing has been done. There is a sink hole in her front yard which when you look down it there is piping running back to the creek which she stated the pipe was originally a single twenty-four inch pipe but the Borough replaced that with 3 six inch pipes. Ms. Desris mentioned since the new pipes where installed Route 313 floods. She appreciates Council listening to everyone tonight and hopes the flooding problems do not get swept under the carpet and action is taken. She explained her living quarters is all on one level and the water rose twenty-one inches high. Ms. Desris and her children were evacuated and said the volunteers were polite and professional and they put her and her children at ease. She thanked the people that helped her that night.

John Goepfert, 721 E. Broad Street. Mr. Goepfert stated the Borough's street sweeper runs over the grates instead of going around the grates and fills them to the top with dirt, drainage has no chance.

Dan Scotchlas, 11 Chestnut Street. Mr. Scotchlas lives by Richland Elementary and stated since the school built an addition in 2010 a lot of water from that property in Richland Township runs onto Chestnut Street

which adds to the flooding mess. Mr. Scotchlas is asking the Borough to address Richland Township and get them to correct that issue. He said the field between Richland Elementary and Essex Court is so swampy the school cannot use it for anything and suggested building a retention pond in that field. Mr. Scotchlas agreed the street sweeper clogs the grate with dirt.

Donna Pannapacker, 61 Essex Court. Ms. Pannapacker stated she had flood water running in her house from the front and back at the same time. Since she does not have a basement, she received five inches of water on her first floor and underwent severe damage. Ms. Pannapacker agrees a retention basin would certainly help for all the extra water. She would like suggestions as to how the Borough can help fix the water issues.

Al Bielli, 6 Chestnut Street. Mr. Bielli explained when there is excessive water his sewer line in his house backs up through the sewer system and pollutes the basement through his washer hose. He is concerned with the profound health affects associated dealing with the polluted water. Mr. Bielli said there has to be an engineering solution to stop the excessive flooding that occurs on Chestnut Street.

Debra Wahl, 703 E. Broad Street. Ms. Wahl is a retired nurse with the Health Department and has a big concern with the Sewer Plant and all that water circulating through the streets and houses. She was splashed from head to toe helping a vehicle on Route 313. Ms. Wahl conveyed that the sewer water needs to be addressed and the Sewer Plant smells bad all the time. The Fire Department told her there was oil in the flood water and had an environmental company pump out the water in her basement.

Kathy Bielli, 6 Chestnut Street. Ms. Bielli said she had crayfish and fish in her water. She said the flooding needs to stop and is heartbroken as she lost everything in her basement.

Kathi Janton, 729 E. Broad Street. Ms. Janton said she has lived at her residence for about three years. She smelled and saw oil in the water and her dog smelled of oil for weeks, which is not healthy. Ms. Janton's basement was flooded to the ceiling and she lost electric for a week, all their food, the hot water heater and her car. She still has no heat or air conditioning and all the duct work has to be replaced. She has to have mold remediation as she is allergic to mold. Ms. Janton stated anytime it rains half of her yard gets flooded.

Bill Groner, 705 E. Broad Street. Mr. Groner has lived at his residence for 49 years. In 2010 he was told the Borough was going to check to see what could be done regarding water issues in the E. Broad Street area and he has not heard anything. He stated it does not have to be a hurricane, that area floods anyway. Mr. Groner is asking for a solution now, he is tired of sewage coming into his house which is not a healthy situation. He asked if a retention pond were constructed in the field behind the creek, could that extra dirt be used to make a bank along the creek. Someone suggested he put a back flow valve in his lateral. Manager McElree said he would contact the Borough's Superintendent of the Sewer Department to call and give him the information to guide them through installation. Mr. Groner did not realize there was such a valve.

Charlotte Geopfert, 721 E. Broad Street. Ms. Geopfert said the street sweeper goes by every week clogging the grates and asked why the drains are not cleaned out regularly. Ms. Geopfert mentioned the open property by the creek behind her residence is not maintained and floods with only an inch of rain. She added that her basement floods and windows have already broken by the cars splashing when the traffic is not stopped on Route 313. Ms. Geopfert stated that she has to keep her house doors closed as the Sewer Plant smell most days is hard to put up with.

Someone commented that the holding ponds back by the Sewer Plant are filled with silt and need to be cleaned out.

Manager McElree stated the Borough is concerned about the flooding and unfortunately it is a process that the Borough does not have complete autonomy, and the state DEP has a big part in the solutions. New construction takes up impervious surface and something has to be done with that stormwater. This past storm was in size which this area has not experienced before. At this point of time, the Borough has met with PEMA and FEMA and are in the process of collecting information from property owners who were impacted from the flood. A meeting is going to be arranged with PEMA and FEMA and all property owners who experienced flooding and also DEP which has to be part of the solution. The Department of Environmental Protection (DEP) ties the Borough's hands with rules and regulations. Richland Township would need to be brought into the conversations as well. There are MS4 rules and regulations which deals with storm water flooding management and the Borough is committed to try to determine what solutions are available and how to progress with that. The Borough's and Council's intent to work with all of the effected residents is a big concern and it will not be ignored.

Manager McElree mentioned concerning the closing of Route 313, there is a permanently installed system like railroad crossing rails which are made today for flood prone areas. The problem with barricades is they wash away. The Borough lost approximately thirty barricades because they became ineffective from the depth of the flood water.

Mr. Wilhelm of the Code & Zoning Office will be the contact person for any questions, concerns and meetings going forward with flooding and stormwater. There is an email address on the Borough's webpage and facebook to contact, ida@quakertown.org for any resident with storm damage. Mr. Wilhem stated FEMA and PEMA came out and knocked on doors in the E. Broad Street area to do damage assessments and they have been in every area of the Borough that was damaged. FEMA and PEMA set up a resource center at Calvary Church in Hilltown for individuals to fill out paperwork and meet with a representative. Mr. Wilhelm stated the oil smell which was confirmed by FEMA and PEMA was from pesticides which was sprayed for mosquitos three days prior to the storm. The pesticide is still a contaminant and the Borough Manager will have the MSDS data sheet if anyone is interested to see what was sprayed.

Manager McElree stated the Borough is committed to trying to find a solution to the flooding and will stay in touch. The residents were asked for their names, address, email and telephone numbers. The residents were asked to sign up for Borough swift reach emergency messages if they are currently not on the list.

Councilman Propst agreed the problems with minor precipitation need to be solved first and if hurricane floods happen it may be impossible to stop nine inches of water but you need to be safe when its three inches of rain. The Quakertown School District needs to be involved if there is run off coming from the elementary school.

A resident was thankful that the trash truck took all of their damaged items.

PLANNING & ZONING COMMITTEE

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 98-21, Amendment of 2021 Fee Schedule setting Electric Vehicle Charger fees, be adopted:

RESOLUTION 98-21

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 the following fees pertaining to the new Electric Vehicle (EV) Chargers:

Electric Vehicle (EV) Charging Fees:

First Hour	\$ 2.00
Any Hour After First Hour	\$ 1.00

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Quakertown wishes to amend the 2021 Fee Schedule to reflect the above listed fees.

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

RESOLVED, That, the following Resolution 101-21, Municipal Finance Partners, Inc. Actuarial Valuation service fees, be adopted:

RESOLUTION 101-21

RESOLVED, That, the Borough Council of Quakertown, Pennsylvania, appoints Municipal Finance Partners, Inc. to provide actuarial valuations and services required under Act 205 for the Borough of Quakertown at the annual fees of \$9,300.00 year 2021, \$5,700.00 year 2022 for the Non-Uniformed Pension Plan and \$7,000.00 year 2021 and \$4,500.00 year 2022 for the Police Pension Plan and additional services at \$275.00 - \$325.00 per hour, per their proposal letter dated August 12, 2021.

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

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 102-21, Police Department's request to destroy old records, be adopted:

RESOLUTION 102-21
DISPOSITION OF MUNICIPAL RECORDS

WHEREAS, the Borough of Quakertown declares its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and;

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Quakertown, Bucks County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following attached public records:

Police Department:

- Offenses: Year 1985: 01-299.
- Incidents: Year 2005: 0001-9268.
- Incidents: Year 2004: 0096, 0718, 1068, 1105, 1305, 1357, 1402, 1455, 1638, 1904, 2188, 3345, 3691, 4153, 4549, 5560, 5624, 5625, 5649, 5659, 5660, 5847, 6055, 6115, 6362, 6377, 6732, 7014, 7128, 7655, 7830, 7901, 8443, 8474.
- Incidents Year 2003: 0259, 0273, 1012, 1525, 1678, 1707, 1817, 2757, 2791, 3067, 3000, 3280, 3460, 3475, 3737, 3907, 3953, 3991, 4092, 4412, 4418, 4589, 4747, 4807, 5021, 5065, 5212, 5325, 5398, 5434, 5772, 5601, 5637, 5780, 6470, 6534, 6610, 6663, 6761, 6775, 7200.
- Vacation Checks through June 2021.

Not including the following due to either containing death, overdose, missing person, investigation or if it pertains to certain criminal cases (murder, rape) in an outside jurisdiction. In addition, cases are held if we have evidence on file.

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

RESOLVED, That, the following Resolution 103-21, Police Department's request to destroy old evidence/recovered property from 2019, be adopted:

RESOLUTION 103-21

WHEREAS, evidence/property have accumulated in the Police Department evidence storage facility collected from police operations from year 2019, 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 September 20, 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 Sell. A roll call vote was taken and the motion was unanimously carried. President Rosenberger and Vice President Roberts, absent.

RESOLVED, That, the following Resolution 104-21, Police Department's request to destroy police evidence/firearms from 1987-2021 cases where the cases have court dispositions and it is permissible to destroy or dismantle the firearms, be adopted:

RESOLUTION 104-21

WHEREAS, Police evidence/firearms have accumulated in the gun evidence storage facility for cases from years of police operations and by where these cases have court dispositions and are permissible to destroy or dismantle; and

WHEREAS, firearms must be destroyed or disposed of from police custody under the guidelines of the U.S. Department of Justice, Department of Alcohol, Tobacco, Firearms and Explosives; and

WHEREAS, the Borough uses U.S. Firearms & Accessories, LLC., an approved licensed entity to properly dispose of the firearms.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown directs the Quakertown Police Department to follow appropriate protocol for disposal of evidence/firearms from 1987 through 2021 cases listed on the attached memorandum dated September 21, 2021 by using U.S. Firearms & Accessories, LLC.

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

PUBLIC UTILITIES COMMITTEE

Councilman Wilsey stated that there are not any items for action under the Public Utilities Committee.

PUBLIC WORKS COMMITTEE

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

PARKS & RECREATION COMMITTEE

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

Councilman Propst declared the meeting adjourned at 9:04 p.m.

BOROUGH OF QUAKERTOWN

Douglas L. Propst
Acting Chairman

Attest:

Scott C. McElree
Borough Secretary