

A regular meeting of the Borough Council of Quakertown was held December 1, 2021, 7:32 p.m.

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

RESOLVED, That, the Council Minutes for November 3, 2021 and Work Session Minutes of September 27, 2021 & October 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:

October	29, 2021	-	\$	347,853.70
November	5, 2021	-		23,158.72
November	11, 2021	-		544,537.44
November	19, 2021	-		206,091.49
November	23, 2021	-		481,713.68

Motion of Councilman Propst, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried. Vice President Roberts, abstained from voting as purchases were made from the Friendly Book Store.

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 wishing to speak:

Robert Williams, 201 S. 10th Street has a concern regarding the former Bush House residents.

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 112-21, approving 2022 Budget, be adopted:

RESOLUTION 112-21

WHEREAS, the Borough Council of the Borough of Quakertown has reviewed and held a public meetings on the consideration of the proposed 2022 Budget.

NOW, THEREFORE, BE IT RESOLVED, That, the 2022 Budget be adopted as presented.

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

RESOLVED, That, Ordinance 1235, an Ordinance fixing the tax rate on real estate within the Borough for the fiscal year 2022, be passed. 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 110-21, setting dates for 2022 Council Meetings and Work Sessions, be adopted:

RESOLUTION 110-21

RESOLVED, That, the Council of the Borough of Quakertown will conduct a reorganizational meeting at 7:00 pm on Monday, January 3, 2022 and regular meetings at 7:30 p.m. on the following dates: Wednesdays; February 2, March 2, April 6, May 4, June 1, July 6, August 3, September 7, October 5, November 2 and December 7; and also the Council of the Borough of Quakertown Work Sessions will be held on Mondays; January 24, February 28, March 28, April 25, May 23, June 27, July 25, August 22, September 26, October 24 and November 28 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 Propst. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 111-21, appointing Hutchinson, Gillahan & Freeh, PC for 2021 audits for the Borough and Quakertown Area Industrial & Commercial Development Authority, be adopted:

RESOLUTION 111-21

RESOLVED, That, the Borough Council of Quakertown, Pennsylvania, appoints the firm of Hutchinson, Gillahan & Freeh of Quakertown, Pennsylvania, to perform the 2021 annual audits of the Borough financial statements at the proposed fee of \$30,500; \$6,000 if a single audit is required and \$150.00 per hour of additional services and the audit of the Quakertown Area Industrial & Commercial Development Authority at the proposed fee of \$1,750.00 and \$150.00 per hour of additional services as detailed in the Hutchinson, Gillahan & Freeh engagement letters dated October 29, 2021.

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

Vice President Roberts read the revised Minimum Municipal Obligation (MMO) which was previously read at the September 27, 2021 Work Session. The Borough's Actuary advised to change the assumptions so they are more realistic for the 2022 Budget. Originally the sum was calculated to be \$1,093,634.00, which is now reduced to \$925,540.00, decreasing the amount by \$168,944.00.

HEALTH, SAFETY & WELFARE COMMITTEE

Councilman Johnson indicated that Robert Williams could speak at this time. Mr. Williams said he has a general concern over the placement of the former residents of the Bush House. Mr. Williams realizes the residents were helped with Bucks County agencies to rehouse them but questioned how long it would take for the residents to obtain permanent housing.

Manager McElree stated the Borough is working closely with the Bucks County Opportunity Council and the YWCA and they are both working very hard to get these residents in to more permanent housing whether it be apartments or other rooming houses fit for human habitation. The immediate response was to get short term housing which are hotels. Fifty-nine residents were housed in hotels and two were housed in a private residence. Currently ten of those fifty-nine residents have been placed in more permanent housing.

RESOLVED, That, the following Resolution 113-21, petition for exemption from Pennsylvania Liquor Code Section 493 (A) and for application of Ordinance No. 1229 in lieu, be adopted:

RESOLUTION NO. 113-21

A RESOLUTION IN SUPPORT OF THE PETITION FOR EXEMPTION FROM PENNSYLVANIA LIQUOR CODE SECTION 493(34) AND FOR APPLICATION OF ORDINANCE NO. 1229 IN LIEU.

WHEREAS, on September 2, 2020, the Borough Council of the Borough of Quakertown (“Borough Council”) adopted an Ordinance No. 1229 regulating the noise and sound emanating from Pennsylvania Liquor Control Board licensee properties; AND

WHEREAS, Ordinance No. 1229 reflects the community goals of Quakertown Borough while protecting the health, safety, and welfare of its residents; AND

WHEREAS, Pennsylvania Liquor Code Section 493(34) (47 P.S. §4-493(34)) prohibits Pennsylvania Liquor Control Board (“PLCB”) licensees from allowing amplified music, entertainment, or advertisements to be heard beyond the licensee’s property line; AND

WHEREAS, Quakertown Borough Council finds it is in the best interest of the community that it petition the PLCB for an exemption from Pennsylvania Liquor Code Section 493(34) and, instead, enforce Ordinance No. 1229 in the entirety of Quakertown Borough (“Petition”); AND

WHEREAS, the PLCB issued an Order dated January 13, 2021 granting a one-year exemption from enforcement of Pennsylvania Liquor Code Section 493(34) and requiring, in lieu thereof, enforcement of Ordinance No. 1229; AND

WHEREAS, Quakertown Borough Council desires to petition the PLCB for a three-year exemption from enforcement of Pennsylvania Liquor Code Section 493(34); AND

WHEREAS, under the provisions of the Pennsylvania Liquor Code, a public hearing will be held within Quakertown Borough on the Petition before a hearing examiner from the PLCB and after public notice; AND

WHEREAS, the Pennsylvania Liquor Control Board will determine whether the granting of the Petition will have an adverse effect on the welfare, health, peace and morals of the residents living in the vicinity of Quakertown Borough as well as whether any conditions should attach to exemption from Pennsylvania Liquor Code Section 493(34).

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that it supports the Petition for Exemption from Pennsylvania Liquor Code Section 493(34) substantially in the form attached hereto and incorporated as “*Exhibit 1*”.

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

RESOLVED, That, the following Resolution 114-21, recognizing Constable Gary Kersman, be adopted:

RESOLUTION 114-21

WHEREAS, A Pennsylvania State Constable is an element of the executive branch and is answerable directly to the Governor of Pennsylvania, Constables are also authorized by statute to perform judicial services for the judicial branch. Constables are peace officers and may be considered to be Police Officers in certain circumstances, and

WHEREAS, Pennsylvania State Constables serve District and Common Pleas Courts by executing arrest warrants, serving civil processes and routinely assisting local Police Departments by providing prisoner transports, and

WHEREAS, Constable Gary Kersman has served the Upper Bucks communities for seven terms since 1980 as Constable, totaling forty-two years of service and assistance to the Courts and Police Departments with faithful and dedicated service.

NOW THEREFORE, BE IT, RESOLVED that the Council of the Borough of Quakertown recognizes Constable Kersman for his years of dedicated service to the Quakertown community and further directs the Borough Manager to convey these accolades to him.

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

Manager McElree updated Mr. Williams with his concern at last month's Council meeting regarding the intersection of Park Avenue and Ninth Street being unsafe. Manager McElree stated that a traffic study was completed and it indicated that there is justification to add electronically emphasized stop signs since there were six crashes in a twelve month period.

PUBLIC UTILITIES COMMITTEE

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

PUBLIC WORKS COMMITTEE

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

PARKS & RECREATION COMMITTEE

Jack Schick from the Historical Society previously requested Council to consider a plaque for 19th century, African-American escaped slave, Henry Franklin on Borough property at Moore's Court and South Main Street. Council approved the concept and Mr. Schick has submitted a sample of the wording for the plaque for Council's consideration. Vice President Roberts made a suggestion to change the word color to race. Councilman Propst will relay that opinion to Mr. Schick. The Historical Society would like to get final approval of the plaque in January so that the plaque can be ordered.

Kenneth Carr mentioned that Joanne Cramer from Outreach Care is very instrumental in helping people find housing and food and is a great resource in the event the Borough would need a source. Mr. Carr also added that the Borough does a great job with the leave collecting.

President Rosenberger declared the meeting adjourned at 8:15 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
President of Council

Attest:

Scott C. McElree
Borough Secretary