

A regular meeting of the Borough Council of Quakertown was held April 3, 2024, 7:30 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, Borough Manager Scott McElree, Solicitor Peter Nelson and Asst. Borough Secretary Kris Barndt.

RESOLVED, That, the Council Minutes of March 6, 2024 and Work Session Minutes of January 22, 2024 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:

March	8, 2023	\$	23,897.96
March	14, 2024		14,913.14
March	21, 2024		582,973.33
March	27, 2024		64,208.57
March	28, 2024		927,851.10

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 Statements, 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 who wished to speak regarding any agenda items.

### **PLANNING & ZONING COMMITTEE**

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

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 28-24, Mallie, LLP for auditing services for the Borough of Quakertown and the Quakertown Area Industrial & Commercial Development Authority for year 2023, be adopted:

#### **RESOLUTION 28-24**

RESOLVED, That, the Borough Council of Quakertown, Pennsylvania, appoints the firm of Maillie, LLP of Limerick, Pennsylvania, to perform the 2023 annual audits of the Borough financial statements at the proposed fee of \$38,000 plus direct expenses; \$5,000 if a single audit is required and as is further defined in their Letter of Engagement dated February 19, 2024 and further authorizes the Borough Manager to sign on behalf of the Borough of Quakertown.

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 29-24, disposal of dated Borough administrative records, be adopted:

RESOLUTION 29-24

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 amended 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.

<b>Type of Records</b>	<b>Required # of Years</b>	<b>Year(s) of Records to be Purged</b>
Police Payroll-Time Card Adjustments	7	2016
Bank Statements & Reconciliations	7	2016
Liquid Fuels		
Electric Escrow		
Water Escrow		
PLGIT		
Utility Payments		
General Account		
Daily Cash Receipts Pool - 2020	3	2020
Accounts Payable Files & Ledgers	7	2016
Tax Collector's Monthly Report to Taxing Districts	7	2016
Utility & Paid Service Receipts	7	2016
Check Registers	7	2016
Deposit Slips	7	2016
Accounts Receivable Files & Ledgers	7	2016
KIDS Registration Forms	2	2021
Voided Account Payable Checks		2021
Worker's Compensation Claims	4	2016

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

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

RESOLVED, That, the following Resolution 36-24, consenting to the termination of the Freight House Agreement between Ian Jeffery and the Borough, be adopted:

RESOLUTION 36-24

WHEREAS, a mutual agreement to the termination of the Freight House Sublease dated September 7, 2017 for the premises located at 19 Front Street between Ian Jeffery and the Borough has been reached.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes the Borough Manager to execute the Freight House Sublease Termination Agreement dated March 27, 2024.

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

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

RESOLVED, That, the following Resolution 30-24, disposal of dated Police Department administrative records, be adopted:

### **RESOLUTION 30-24 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 amended 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 records listed in the attached memorandums dated February 9, 2024 and March 8, 2024 from the Police Department.

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 31-24, Last Chance Ranch's request to hold a Pints for Pups 5K Beer Run, be adopted:

### **RESOLUTION 31-24**

WHEREAS, Last Chance Ranch of Quakertown has requested to hold a Pints for Pups 5K Beer Walk/Run starting at the Trolley Barn Public Market parking lot, running through various streets in town per the attached sheet on Saturday, June 1, 2024 beginning at 5:00 pm; and

WHEREAS, Last Chance Ranch is responsible for providing volunteers at the street crossings.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit request of Last Chance Ranch for their Pints For Pups 5K event on June 1, 2024, provided the Borough is an additional insured on their insurance.

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 33-24, 2023 EPPG Power Pool Participant Agreement between American Municipal Power, Inc. (AMP) and the Borough of Quakertown, be adopted:

### **RESOLUTION 33-24**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE  
2023 EPPG POWER POOL PARTICIPANT SCHEDULE  
WITH AMERICAN MUNICIPAL POWER, INC. ("AMP")**

WHEREAS, the Borough of Quakertown, Pennsylvania (the “Municipality”), is a political subdivision organized and existing pursuant to the laws of the Commonwealth of Pennsylvania that owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens and customers; and

WHEREAS, Municipality is located in the PJM Interconnection, LLC (“PJM”) transmission system territory and is subject to the PJM transmission system regulations and costs as set forth in the PJM Governing Documents; and

WHEREAS, in order to satisfy the electric capacity, energy and other requirements of its electric utility system, the Municipality has heretofore purchased economical and reliable capacity, energy and related services from American Municipal Power, Inc. (“AMP”), an Ohio non-profit corporation, of which the Municipality is a member, or has heretofore purchased capacity and energy arranged by AMP; and

WHEREAS, in order to take advantage of economies of scale and to recognize the joint scheduling, interconnection and operation, and transmission arrangements that AMP Members located in the PPL transmission zone coordinate and share through AMP, those Members desire to form a combined pool EPPG to jointly purchase, manage and coordinate power supplies and related services for Members executing this Schedule; and

WHEREAS, Municipality and AMP desire to enter into a Power Pool Schedule (“Schedule”) for the purpose of: (i) energy, capacity and related product scheduling and operations under the PJM Governing Documents and (ii) economic purchases of capacity, energy and related products for the beneficial use of Pool Participants.

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

SECTION 1. That the form of 2023 EPPG Power Pool Participant Schedule attached hereto as “Exhibit 1” including Appendices thereto between this Municipality and AMP, be, and the same hereby is approved substantially in the form attached hereto, subject to and with any and all changes provided herein and therein.

SECTION 2. That the Borough Council President is hereby authorized and directed to execute and deliver on behalf of this Municipality the 2023 EPPG Power Pool Participant Schedule, substantially in the form attached hereto as “Exhibit 1.”

SECTION 3. That the Municipality authorizes AMP to purchase on the Municipality’s behalf, in accordance with the procedures set forth in the 2023 EPPG Power Pool Participant Schedule, and Municipality agrees to reimburse AMP for all costs incurred by AMP for Pool Resources and services plus any service fees associated with the purchase of Pool Resources and services set forth therein.

SECTION 4. That the Borough Manager or their designee is hereby designated as Municipality’s authorized personnel to approve and authorize AMP’s acquisition of Pool Resources and to vote on Pool activities in accordance with the terms and conditions in the 2023 EPPG Power Pool Participant Schedule on behalf of Municipality.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements.

SECTION 6. If any section, subsection, paragraph, clause or provision of any part thereof of this Resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Resolution shall be unaffected by such adjudication and all the remaining provisions of the Resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

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

## **PUBLIC WORKS COMMITTEE**

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

Manager McElree gave an update of the baseball stadium. The field is ready for play, the rainy weather has put a damper on some high school games. The field is not completely finished such as the electric work and dugouts. The bathrooms and snack stand will be renovated. The field needs some attention since it has been somewhat neglected. The different organizations who use the field will have some responsibility in field maintenance when they use it, as well as, the Borough doing some maintenance on the field. There is a proposed Usage Agreement with the Quakertown School District which should be finalized soon. The school has also pledged to contribute to the cost of the field.

Manager McElree mentioned that leaves will be picked up every Monday through the month of April.

## **PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 32-24, The Pride of Quakertown's request to hold a Zumbathon in the Park at 4th, be adopted:

### **RESOLUTION 32-24**

WHEREAS, Christina Harr of the Pride of Quakertown has requested to use the Univest Performance Center to hold a fundraiser Zumbathon on Sunday, June 2, 2024 from 1:00 pm to 5:00 pm.

NOW THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants Christina Harr's request for use of the Univest Performance Center on June 2, 2024 from 1:00 pm to 5:00 pm provided the Borough is added as 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 34-24, Charles Hafler's request to hold a charity fundraiser concert at the UPC, be adopted:

### **RESOLUTION 34-24**

WHEREAS, a request was received from Charles Hafler of Quakertown to hold a fundraising concert to benefit "Sweatshirt of Hope" at the Univest Performance Center.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, grants the request of Charles Hafler to hold a concert on Saturday, June 22, 2024 from 3:00 pm to 9:00 pm provided the Borough is added 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.

RESOLVED, That, the following Resolution 35-24, QNB Bank's request to hold a birthday celebration for their mascot at QuiNBY's playground, be adopted:

RESOLUTION 35-24

WHEREAS, QNB Bank would like to host a birthday party for QuiNBY, their Savings Squirrel mascot, at the QuiNBY playground in Memorial Park on Saturday, May 4, 2024 from 11:00 am to 12:30 pm.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants QNB Bank to hold a birthday celebration on Saturday, May 4, 2024 from 11:00 am to 12:30 pm.

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

President Rosenberger declared the meeting adjourned at 7:57 p.m.

BOROUGH OF QUAKERTOWN

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Donald E. Rosenberger  
President of Council

Attest:

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Scott C. McElree  
Borough Secretary