

A regular meeting of the Borough Council of Quakertown was held May 1, 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 Sean Duffy and Asst. Borough Secretary Kris Barndt.

RESOLVED, That, the Council Minutes of April 3, 2024 and Work Session Minutes of February 26, 2024 and March 25, 2024 be approved as written. 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 check registers be approved for payment:

April	5, 2024	\$	173,072.50
April	12, 2024		763,817.89
April	19, 2024		10,093.24
April	25, 2024		444,251.35

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 Vice President Roberts. A roll call vote was taken and the motion was unanimously carried.

Visitors:

Charles Crossan, 203 S. 10th Street would like to speak regarding bicycle and pedestrian accessibility on Fairview Avenue and make a request for an amendment to Chapter 21, Part 4, Sidewalk Obstructions.

Tim Ritter, 26 N. Penrose Avenue would like to make a Police Department comment.

Michele Majoros, 410 S. 10th Street would like to speak regarding the ice-skating shelter.

HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 37-24, recognition of National Police Appreciation Week, be adopted:

National Police Appreciation Week RESOLUTION 37-24

WHEREAS the health and safety of the citizens of the Borough of Quakertown, Pennsylvania, is important to the happiness, prosperity and well-being of our Borough's families and community; and

WHEREAS, the Borough of Quakertown, Pennsylvania, is the proud home of dedicated Police Officers who put their lives on the line to keep our community safe; and

WHEREAS, these officers stand as leaders and teachers, educating the community about the importance of public safety; and

WHEREAS, the Borough of Quakertown, Pennsylvania, appreciates the extraordinary efforts and sacrifices made by the officers and their family members on a daily basis in order to protect our schools, workplaces, roadways and homes; and

WHEREAS, National Police Appreciation Week is an opportunity to show our support for law enforcement.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Quakertown, along with the Congress and the President of the United States designates May 15, 2024 as National Police Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes, and designate the week of May 12-18, 2024 as Police Appreciation Week.

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 38-24, promotion of Officer Benjamin Moller to Sergeant, be adopted:

RESOLUTION 38-24

WHEREAS, the Quakertown Police Department performed a Police Sergeant promotional process that adhered to the Borough of Quakertown Civil Service Rules and Regulations; and

WHEREAS, Police Officer Benjamin Moller attained the highest total score.

NOW, THEREFORE, BE IT RESOLVED, That, Borough Council appoints Benjamin Moller as Sergeant in the Quakertown Police Department.

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

Council promoted Officer Moller and Chief McElree awarded him his new Sergeants badge.

Chief McElree awarded accommodations to several officers in the Police Department, as well as, members of the community for assisting the Police Officers. President Rosenberger announced Chief McElree has been with Quakertown Borough for twenty years.

Councilman Johnson indicated that Charles Crossan could speak. Mr. Crossan pointed out the condition of the railroad crossing on Fairview Road is significantly deteriorating and would like some pressure put on Septa to repair it as was done on Mill Street. Mr. Crossan would also like to see safety provided for cyclists and pedestrians on the Fairview path from Front Street to Strayer School. Code Officer Wilhelm stated the Fairview Road railroad crossing is on the list for repairs, but Mill Street's crossing was on the repair list approximately five years until they got to it. Manager McElree stated the Borough will give Septa a call and asked Mr. Crossan also to contact Septa.

Mr. Crossan questioned the Borough's Municipal Code, Chapter 21, Sections 421 & 422 regarding sidewalk obstructions prohibiting any fixtures on the sidewalk. Mr. Crossan stated "fixtures" is not well defined. Mr. Crossan explained he will be purchasing an electric vehicle in the near future and would like to be able to charge it at his home using a portable cable to plug into an existing outlet on the front of his house. Mr. Crossan has on street parking which means he would be breaking the code by crossing the sidewalk with the car's cord. Mr. Crossan researched other municipalities and cities and found guidance on street charging. He is asking Council to start discussing the topic and model a policy after municipalities that already have one in place.

Mr. Crossan found ADA approved ramps are used to protect the cable and to maintain the integrity of the sidewalk. Councilman Johnson said he does not see why Council would not take a look at this topic since there will be more electric vehicles in the future. Manager McElree replied that the Code Officer will get this topic to the Planning Commission for discussion and make recommendations to Council for review.

Councilman Johnson indicated that Tim Ritter could speak at this time. Mr. Ritter explained in February the Borough Police responded to his home for a medical emergency. Two of the Police Officers arrived to his residence before the ambulance got there and saved his mother's life that day. Mr. Ritter did not get their names but said he appreciates and is grateful for their efforts.

RESOLVED, That, the following Resolution 46-24, Civil Service changes, be adopted:

RESOLUTION 46-24

WHEREAS, Borough Council has previously established Rules and Regulations of the Civil Service Commission of the Borough of Quakertown; and

WHEREAS Borough Council wishes to make changes regarding the Appointment of Chief of Police or Equivalent Official and Rehiring of Personnel.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the Rules and Regulations of the Quakertown Civil Service Commission be amended to read as follows:

Section 803. Appointment – Chief of Police.

In the case of a vacancy in the office of Chief of Police or equivalent official, Borough Council has full discretion in selecting the individual to fill such a position. If Borough Council requests the Commission to subject that individual to noncompetitive testing, and if that individual successfully passes this testing, then the Commission shall notify Borough Council of the results of the examination. If, after receiving notice from the Commission that the individual being considered for appointment of Chief of Police or equivalent position is qualified and Borough Council votes to bestow civil service status on that individual, that individual may only be removed, demoted, or suspended without pay from the position of Chief of Police or equivalent position for the reasons set forth in Section 901.

Section 809. Rehiring of Personnel.

At its discretion, Borough Council may fill any vacancy in an existing position in The Police Department by the rehiring of a former employee of the Police Department who retired from, or otherwise left the Police Department, in good standing. If the offer to rehire is transmitted to and accepted by the officer within one hundred (100) days of his/her last day of employment with the Police Department, then the returning officer shall not be required to pass any testing to be rehired, except a physical examination may be specifically required by the Commission on a case by case basis. If the offer to rehire is transmitted to and accepted by the officer more than one hundred (100) days after his/her last day of employment with the Police Department, then the returning officer must pass a physical examination to be rehired, unless specifically waived by the Commission on a case by case basis. All such rehiring shall be subject to any recertification requirements prescribed by the Municipal Police Officers' Education and Training Commission.

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 44-24, proceed with Police Officer testing, be adopted:

RESOLUTION 44-24

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 for entry level Police Officers.

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

RESOLVED, That, the following Resolution 42-24, Police Department's annual Bike Rodeo, be adopted:

RESOLUTION 42-24

RESOLVED, That, a request was received from the Police Department to hold the Borough's annual Bike Safety Rodeo on Saturday, May 11, 2024 from 8:00 a.m. to 12:00 p.m. in the Memorial Park Pool lot.

NOW, THEREFORE, BE IT RESOLVED That the Council of the Borough of Quakertown accepts the request to hold the Borough's Bike Safety Rodeo on May 11, 2024 starting at 8:00 a.m.

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

RESOLVED, That, the following Resolution 45-24, authorizing the Bucks County Department of Health to treat mosquitoes, be adopted:

RESOLUTION 45-24

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

RESOLVED, That, the following Resolution 40-24, adopting Mandatory Child Abuse reporting Policy, be adopted:

RESOLUTION 40-24

WHEREAS, the Borough has prepared a Mandatory Child Abuse Reporting Policy, a requirement for the Borough to practice, which is consistent with the requirements of the Pennsylvania Child Protective Services Law (CPSL) and can be found at 23 Pa. Cons. Stat. 6301, et seq.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Quakertown does hereby adopt the prepared Mandatory Child Abuse Reporting Policy #2-12 pertaining to the PA Child Protective Services Law.

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

RESOLVED, That, the following Resolution 41-24, adopting revised Employment Related Practices Policy, be adopted:

RESOLUTION 41-24

WHEREAS, the Borough has revised its Employment Related Practices Policy which the Pennsylvania Child Protective Services Law (CPSL) imposes employment-related obligations on organizations that offer services involving the care, supervision, guidance, or control of children or routine interaction with children; and

WHEREAS, Intentional non-compliance with these legal mandates can result in criminal penalties for individual employees and civil liability for the Borough; and

WHEREAS, CPSL allows organizations to impose additional requirements to ensure the protection of children beyond what is mandated by the CPSL.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Quakertown does hereby adopt the prepared Mandatory Child Abuse Reporting Policy #2-8 pertaining to the PA Child Protective Services Law.

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

PUBLIC UTILITIES COMMITTEE

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

PUBLIC WORKS COMMITTEE

RESOLVED, That, the following Resolution 39-24, recognition of National Public Works Week, be adopted:

National Public Works Week
Resolution 39-24
"Advancing Quality of Life For All"

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the Borough of Quakertown; and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the Borough of Quakertown to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2024 marks the 64th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Quakertown to designate the week May 19–25, 2024 as National Public Works Week. Council calls upon all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

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

PARKS & RECREATION COMMITTEE

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

Councilman Propst indicated that Michelle Majores could speak at this time. Ms. Majores read in the Borough Newsletter that the skate shelter will be named after the late Jane Stover who founded the KIDS program in the early 1970s. Ms. Majores is requesting the building remain as an iceskating shelter and would like to see the original Skate Shelter sign left on the building along with the new Jane Stover sign.

Councilman Johnson thanked Jess Myers in the Parks & Recreation Department for all her help at the Borough's Spring Cleanup Day and for taking pictures of the event. There were approximately eighty volunteers who helped clean up the flower beds in the parks.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 47-24, Department of Environmental Protection (DEP) Plan revision for new land development at 103 S. Main Street, be adopted:

RESOLUTION 47-24

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management; and

WHEREAS, 103 Quaker Safety, LLC has proposed the development of a parcel of land identified as Quaker Safety Apartment Conversion, and described in the attached Sewage Facilities Planning Module, and proposes that such subdivision be served by existing services and possible new sewer tap-ins; and

WHEREAS, Quakertown Borough finds that the subdivision described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Quakertown hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above reference Sewage Facilities Planning Module which is attached hereto.

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

RESOLVED, That, the following Resolution 48-24, Department of Environmental Protection (DEP) Plan revision for new land development at 10 S. West End Boulevard, be adopted:

RESOLUTION 48-24

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management; and

WHEREAS, Spark Car Wash, LLC has proposed the development of a parcel of land identified as 10 S. West End Boulevard, and described in the attached Sewage Facilities Planning Module, and proposes that such subdivision be served by existing services and possible new sewer tap-ins; and

WHEREAS, Quakertown Borough finds that the subdivision described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Quakertown hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above reference Sewage Facilities Planning Module which is attached hereto.

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

REVENUE & FINANCE COMMITTEE

Vice President Roberts stated that there are not any items under the Revenue & Finance Committee.

President Rosenberger announced the next Work Session is May 20, 2024, a week earlier than normal because of Memorial Day.

President Rosenberger declared the meeting adjourned at 8:34 p.m.

BOROUGH OF QUAKERTOWN

Donald E. Rosenberger
President of Council

Attest:

Scott C. McElree
Borough Secretary