

A regular meeting of the Borough Council was held May 4, 2011, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Councilmembers David Erwin, Michelle Scarborough, Edward Scholl and Daniel Williams, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Phyllis R. Ewing.

RESOLVED, That, the Minutes of April 6, 2011, be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried (Councilman Johnson absent).

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

	April 8, 2011	—	\$	29,076.83
April 15, 2011	—	853,313.20		
April 21, 2011	—	143,348.11		
April 28, 2011	—	274,418.14		
April 29, 2011	—	17,387.29		

Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough.

President Roberts stated that he will abstain from voting as a purchase was made from the Friendly Book Store.

A roll call vote was taken and the motion carried with the following Councilmembers voting in favor: Erwin, Rosenberger, Scarborough, Scholl, and Williams. President Roberts abstained. (Councilman Johnson absent)

RESOLVED, That, the Financial Statement, Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilman Williams, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

Visitors:

Christopher Goolsby, 141 S. Main Street, Apartment 3, Quakertown, indicated that he would like to speak regarding the renovation of the Mill Street basketball courts. President Roberts indicated that he could speak during the Public Works Committee portion of the agenda.

RESOLVED, That, the following Resolution 64-11, regarding Police commendations, be adopted:

RESOLUTION NO. 64-11

WHEREAS, Borough Council takes great pleasure in recognizing those who have demonstrated their skill and dedication as police officers through specific incidents.

NOW, THEREFORE, BE IT RESOLVED, That, on the 4th day of May 2011, the Borough Council of Quakertown, Pennsylvania issues Department Commendations to our various police officers for contributions to the Police Department and community.

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

The following Officers were presented with Police Commendations:

Officers Kristopher Baccari, Donald Bender, Jeffrey Boehm, Mario Cabrera, Edward Dex, Nicholas Filoon, Scott Fogel (not present), Christopher Grill, Harold Gross, Robert Lee, Joshua Mallery, Matthew Molchan, Steven Stoneback. Mark Watkins

President Roberts, on behalf of Council, thanked all officers for their performance in their jobs.

PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 62-11, Open Space Plan, be adopted:

RESOLUTION NO. 62-11

WHEREAS, the Borough Council of Quakertown, Pennsylvania adopted Resolution 11-11 accepting the quotation dated January 5, 2011, from Cowan Associates, Inc. of Quakertown, for the purpose of updating the Borough's Open Space Plan; and

WHEREAS, Cowan Associates has prepared and presented an Open Space Plan.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown endorses the Open Space Plan as prepared and presented by Cowan Associates, Inc.

Motion of Councilman Scholl, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

REVENUE & FINANCE COMMITTEE

Councilman Rosenberger stated that there aren't any items for action under the Revenue & Finance Committee.

HEALTH, SAFETY & WELFARE COMMITTEE

In Councilman Johnson's absence, Councilman Rosenberger chaired the Health, Safety & Welfare Committee portion of the agenda.

RESOLVED, That, the following Resolution 51-11, recognition of Nurses' Week, be adopted:

RESOLUTION NO. 51-11

WHEREAS, the nearly 2.9 million registered nurses in the United States comprise our nation's largest health care profession; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

WHEREAS, the cost-effective, safe and quality health care service provided by nurses will be an ever more important component of the U. S. health care delivery system in the future; and

WHEREAS, along with the American Nurses Association, the Borough of Quakertown has declared the week of May 6 - 12 as National Nurses Week with the theme Nurses Trusted to Care in celebration of the ways in which nurses strive to provide safe and high quality patient care and map out the way to improve our health care system.

NOW THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown asks that all residents of the Borough of Quakertown join in honoring the nurses who care for all of us.

BE IT FURTHER RESOLVED, That, Borough Council and the residents of the Borough of Quakertown join in honoring the professional nurses who care for all of us, and that we express our appreciation to the nurses, not just during this week, but at every opportunity throughout the year.

Motion of Councilman Rosenberger, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

RESOLVED, That, the following Resolution 52-11, recognition of Police Week, be adopted:

RESOLUTION 52-11

WHEREAS, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the law enforcement agency of the Borough of Quakertown play an essential role in safeguarding the rights and freedoms of Quakertown; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the law enforcement agency of the Borough of Quakertown unceasingly provide a vital public service;

NOW, THEREFORE, the Borough Council of the Borough of Quakertown, call upon all citizens of Quakertown and upon all patriotic, civic and educational organizations to observe the week of May 15 - 21, 2011, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

NOW, BE IT RESOLVED that the Borough of Quakertown shall observe Sunday, May 15, 2011, as Peace 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.

Motion of Councilman Rosenberger, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

RESOLVED, That, the following Resolution 53-11, Quakertown Clean-up Day, be adopted:

RESOLUTION NO. 53-11

WHEREAS, Council adopted Resolution 21-11, declaring April 2, 2011, as Quakertown Clean-up Day; and

WHEREAS, the weather on April 2, 2011, was not conducive to this type of event; and

WHEREAS, the Council of the Borough of Quakertown now wishes to declare May 28, 2011 as Quakertown Clean-up Day.

NOW, THEREFORE BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown declares May 28, 2011 as Quakertown Clean-up Day in which a group of volunteers will clean trash from Borough owned properties.

Motion of Councilman Rosenberger, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

RESOLVED, That, the following Resolution 54-11, unclaimed valuables to be filed with Department of Treasury:

RESOLUTION NO. 54-11

WHEREAS, unclaimed valuables have accumulated in the Police Department storage facility from 1994 through and including 2007 and

WHEREAS, Pennsylvania's Disposition of Abandoned and Unclaimed Property Act, requires law enforcement agencies to annually file an unclaimed property report with the Pennsylvania Department of Treasury.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown Pennsylvania directs that the necessary annual unclaimed property report be filed with the Pennsylvania Department of Treasury.

Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

RESOLVED, That, the following Resolution 55-11, Morning Star Fellowship Church's request to close 9th Street, be adopted:

RESOLUTION NO. 55-11

WHEREAS, a request was received from Morning Star Fellowship to close Ninth Street from Main Street to the first entrance/exit curb cut on Ninth Street for a Community Block Party.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Morning Star Fellowship to close Ninth Street from Main Street to the first entrance/exit curb cut on Ninth Street for a Community Block Party on July 23, 2011 from 1:00 to 4:00 p.m., provided they add the Borough as an additional insured on their insurance.

Motion of Councilman Rosenberger, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

RESOLVED, That, the following Resolution 60-11, Fire Department antenna water tower installation, be adopted:

RESOLUTION NO. 60-11

WHEREAS, Borough Council adopted Resolution 43-11, approving the concept of the Quakertown Fire Department placing two antennas on the Quakertown Borough water tower; and

WHEREAS, the Quakertown Fire Department has presented plans for Council's review.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown approves the plans for placing two antennas on the Quakertown Borough water tower provided that the installation complies with all existing users requirements and is monitored and approved by the Borough Water Department Superintendent.

Motion of Councilman Rosenberger, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried. (Councilman Johnson absent)

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 59-11, Prodesco, Inc. Request for water service be adopted:

RESOLUTION NO. 59-11

WHEREAS, a request for Borough water service at 195 O'Neill Drive was received from Prodesco, Inc.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Prodesco, Inc. for water service at the Prodesco property at 195 O'Neill Drive, subject to the agreement dated April 22, 1991, between the Borough of Quakertown, Jaindl's Turkey Hatchery, Inc. and Nelson Properties. The Borough Manager is directed to make the necessary arrangements.

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

PUBLIC WORKS COMMITTEE

Mr. Goolsby was told that he could speak at this time. Mr. Goolsby expressed concern on the condition of the basketball courts and suggested different types of paving for the courts. He indicated that he has received permission from several area businesses to place donation containers, to help defray costs, and that QNB has agreed to open a separate account for the funds received. Councilman Scholl thanked Mr. Goolsby for all the effort and work he did for this presentation. Manager McElree asked Mr. Goolsby to meet with him and the Public Works Superintendent.

RESOLVED, That, the following Resolution 61-11, recognizing Public Works Week, be adopted:

National Public Works Week

RESOLUTION 61-11

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operations of public works systems and programs such as water, sewer, electric

and roads; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works employees; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff our public works departments is significantly influenced by the residents' understanding of the importance of the work they perform,

NOW, THEREFORE BE IT RESOLVED, by the Borough Council to proclaim the week of May 15 – 21, 2011 “National Public Works Week” in the Borough of Quakertown, Pennsylvania. Council calls upon businesses, organizations and citizens to acquaint themselves with the issues involved in providing our public works services and to recognize the outstanding contributions which our public works employees make every day to ensure the health, safety, comfort, and quality of life in the Borough of Quakertown.

Motion of Councilman Erwin, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried (Councilman Johnson absent).

RESOLVED, That, the following Resolution 63-11, ChesMont Disposal Consent to Assignment, be adopted:

RESOLUTION NO. 63-11

WHEREAS, Resolution 94-09 was adopted on September 2, 2009 awarding Ches-Mont Disposal a three-year contract for trash disposal; and

WHEREAS, Interstate Waste Services of Pennsylvania, LLC is contemplating entering into an Asset Purchase Agreement with Ches-Mont Disposal; and

WHEREAS, Borough Council consents to the Assignment Agreement effective the date Ches-Mont Disposal and Interstate Waste Services of Pennsylvania, LLC close upon the Asset Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown authorizes the Borough Manager to execute the Consent to

Assignment.

Motion of Councilman Erwin, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried (Councilman Johnson absent).

PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 56-11, Quakertown Ministerium's request to hold a Crop Walk, be adopted:

RESOLUTION NO. 56-11

WHEREAS, a request was received for a public gathering permit from the Quakertown Ministerium to hold a Crop Walk.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit to the Quakertown Ministerium for a Crop Walk to be held on October 9, 2011, provided they add the Borough as an additional insured.

Motion of Councilman Williams, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Johnson absent).

RESOLVED, That, the following Resolution 57-11, Richland Area Softball Association's request to use Memorial Park for softball tournaments, be adopted:

RESOLUTION NO. 57-11

WHEREAS, a request was received from RASA Softball to use the softball field in Memorial Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of RASA Softball to use the softball field in Memorial Park for the 2011 season provided that they add the Borough as an additional insured to their insurance.

Motion of Councilman Williams, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried (Councilman Johnson absent).

RESOLVED, That, the following Resolution 58-11, Tim Neiman's request to use Little League fields for a baseball camp, be adopted:

RESOLUTION NO. 58-11

WHEREAS, a request was received from Tim Neiman of DeSales University to use the Little League Complex in Memorial Park for a baseball camp.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request Tim Neiman of DeSales University to host a baseball camp, with Quakertown Youth Baseball, at the Little League Complex in Memorial Park from July 11 through July 14, 2011, 9:00 a.m. to 12:30 p.m., provided they add the Borough as an additional insured on their insurance. This approval is based on receiving permission of the Quakertown Youth Baseball Association Executive Board.

Motion of Councilman Williams, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried (Councilman Johnson absent).

Councilman Scholl reminded Council that the Relay for Life will be held on May 14th.

President Roberts announced that Council will hold an executive session at 6:30 p.m., on May 16th to conduct a personnel interview for a promotion within the Police Department.

At 8:20 p.m., President Roberts declared the meeting adjourned

BOROUGH OF QUAKERTOWN

L. James Roberts, Jr.
President of Council

Attest:

Phyllis R. Ewing
Asst. Borough Secretary