

A regular meeting of the Borough Council was held July 6, 2011, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Councilmembers David Erwin, Michael Johnson, 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 June 1, 2011, be approved as written. Motion of Councilman Rosenberger, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried.

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

June 3, 2011	–	\$243,713.24
June 10, 2011	–	154,387.34
June 17, 2011	–	733,163.49
June 24, 2011	–	59,517.35
June 27, 2011	–	637.33
June 29, 2011	–	271,611.15
June 29, 2011	–	34,991.23

Motion of Councilman Rosenberger, seconded by Councilman Johnson.

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, Johnson, Rosenberger, Scarborough, Scholl, and Williams. President Roberts abstained.

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.

RESOLVED, That, Borough Council present a letter of commendation in recognition of the service of Corporal Micah Musselman in special forces of the Marine Corps. Motion of President Roberts, seconded by Councilwoman Scarborough. A roll call vote was taken and the motion was unanimously carried.

President Roberts read the letter of commendation and presented it to Corporal Musselman's mother, Elena Snyder.

#### **PLANNING & ZONING COMMITTEE**

RESOLVED, That, reading of Ordinance 1182, setting requirements for new construction within areas of the Borough subject to flooding, be waived. Motion of Councilman Scholl,

seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Ordinance 1182, an Ordinance requiring all persons, partnerships, businesses, and corporations to obtain a permit for any construction or development; providing for the issuance of such permits; setting forth certain minimum requirements for new construction and development within areas of the Borough, which are subject to flooding; and establishing penalties for any persons who fail, or refuse to comply with, the requirements or provisions of this Ordinance, be passed finally. Motion of Councilman Scholl, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 74-11, Quakertown Swim Team request for financial support, be adopted:

#### **RESOLUTION 74-11**

WHEREAS, a request for financial support was received from the Quakertown Swim Team for a portion of the cost to upgrade the sound system.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown will appropriate \$425.00 toward an upgrade to the sound system at the Quakertown Swimming Pool.

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

Councilman Rosenberger read Ordinance 1181 in full.

RESOLVED, That, Ordinance 1181, an Ordinance of the Borough of Quakertown, Bucks County, Pennsylvania, defining the death benefits for eligible members of the pension plan for non-uniformed employees of the Borough of Quakertown, be passed finally. Motion of Councilman Rosenberger, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 73-11, rent bandshell for Forks Township Community Day, be adopted:

#### **RESOLUTION NO. 73-11**

WHEREAS, a request was received from Forks Township to rent the bandshell for their community day event.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Forks Township to rent the bandshell at a cost as listed in

the Borough's fee schedule for their event on September 17 and 18, 2011, provided they add the Borough as an additional insured on the insurance.

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

Councilman Rosenberger stated that the Borough will be engaging the services of NCS Plus, Inc., a collection agency, due to the number of outstanding terminated utility accounts.

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

RESOLVED, That, the following Resolution 68-11, Quakertown National Bank request to close Second Street for the QNB Founders Day event, be adopted:

#### **RESOLUTION NO. 68-11**

WHEREAS, Quakertown National Bank has applied for a public gathering permit to celebrate their QNB's Founders' Day event on July 20, 2011, and to close Second Street between Broad and Third Streets.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the public gathering permit to Quakertown National Bank and to close Second Street between Broad and Third Streets on July 20, 2011, from 6:00 to 9:30 p.m.

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

RESOLVED, That, the following Resolution 70-11, Quakertown Fire Department request to use Memorial Park for a Fire Department Carnival, be adopted:

#### **RESOLUTION NO. 70-11**

WHEREAS, a request was received from the Quakertown Fire Department to use the Quakertown west side field of Memorial Park for a Fire Department Carnival to be held August 2 through August 6, 2011 and use of the bandshell for this event.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants the request of the Quakertown Fire Department to use the west side field of Memorial Park for a carnival and the use of the bandshell provided that the Borough is added as additional insured on the insurance.

NOW, BE IT FURTHER RESOLVED, That, the Borough Council of the Borough of Quakertown waives the fee for the use of the bandshell.

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

RESOLVED, That, the following Resolution 71-11, Trinity Evangelical Church request to close Erie Avenue for their Peach Festival, be adopted:

RESOLUTION NO. 71-11

WHEREAS, a request was received from Trinity Evangelical Lutheran Church to close Erie Avenue for their Peach Festival.

NOW, THEREFORE, BE IT RESOLVED, that Council grants the request of Trinity Evangelical Lutheran Church to close Erie Avenue from Hellertown Avenue to the entrance of the church parking lot on August 10, 2011 from 5 to 10 p.m. (rain date August 11) for their Peach Festival provided they add the Borough as an additional insured on their insurance.

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

**PUBLIC UTILITIES COMMITTEE**

Councilwoman Scarborough stated that there aren't any items for action under the Public Utilities Committee.

**PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 75-11, award road materials bid, be adopted:

RESOLUTION NO. 75-11  
ACCEPTING BIDS AND AWARDING CONTRACTS

Resolved, by the Council of the Borough of Quakertown, That, the following bids for road materials be accepted and contracts awarded to:

Blooming Glen of Blooming Glen, Pennsylvania, for:

<u>Bid Item</u>	<u>Pick-up</u>	<u>Delivered</u>
QPR 2000 cold patch	\$113.00	\$116.50

Hanson Aggregates of Penns Park, Pennsylvania, for:

<u>Bid Item</u>	<u>Pick-up</u>	<u>Delivered</u>
#10 screenings	\$ 5.00	\$ 9.00
3-A modified	\$ 5.50	\$ 9.50
¼ inch anti skid	\$ 9.75	\$ 17.00

Naceville Materials of Sellersville, Pennsylvania for:

<u>Bid Item</u>	<u>Pick-up</u>	<u>Delivered</u>
#8 washed, crushed stone	\$ 10.80	\$ 14.30
#57 washed crushed stone	\$ 8.00	\$ 11.50

2A modified	\$ 6.00	\$ 9.50
2 B ¾ clean	\$ 8.00	\$ 11.50

The contracts are awarded in accordance with the bids opened June 24, 2011. The term of the contracts is July 1, 2011 to July 1, 2012. The Borough Manager is hereby authorized to execute the said contracts on behalf of the Borough of Quakertown.

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

RESOLVED, That, the following Resolution 76-11, award superpave bid, be adopted:

**RESOLUTION NO. 76-11  
ACCEPTING BIDS AND AWARDING CONTRACT**

Resolved, by the Council of the Borough of Quakertown, That, the following bid for road materials be accepted and contract awarded to:

Coopersburg Asphalt of Coopersburg, PA, for:

	<u>Pick Up</u>	<u>Delivered</u>
SuperpaveHMA, 9.5 mm Wearing Course PG 64-22, 0.0 – 0.3 M Esal’s, SLR H	\$61.00	\$65.20
SuperpaveHMA, 9.5mm Fine Graded PG 64-22, 0.0 – 0.3 M Esal’s, SLR H (leveling course)	\$61.00	\$65.20
SuperpaveHMA, 9.5 mm Wearing Course PG 64-22, 0.3 – 3.0 M Esal’s, SLR H	\$61.00	\$65.20
SuperpaveHMA, 9.5mm Fine Graded PG 64-22, 0.3 – 3.0 M Esal’s, SLR H (leveling course)	\$61.00	\$65.20
SuperpaveHMA, 19mm Binder Course PG 64-22, 0.0 – 0.3 M Esal’s, SLR H	\$56.50	\$60.70
SuperpaveHMA, 19mm Binder Course PG 64-22, 0.3-3.0 Esal’s, SLR H	\$56.50	\$60.70
SuperpaveHMA, 25 mm Base Course PG 64-22, 0.0 – 3.0 M Esal’s, SLR H	\$51.50	\$55.70
SuperpaveHMA, 25 mm Base Course PG 64-22, 0.3 – 3.0 M Esal’s, SLR H	\$51.50	\$55.70

The contracts are awarded in accordance with the bids opened June 24, 2011. The term of the contracts is July 1, 2011 to July 1, 2012. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

**PARKS & RECREATION COMMITTEE**

RESOLVED, That, the following Resolution 69-11, Church World Service request to hold a Crop Walk, be adopted:

## RESOLUTION NO. 69-11

WHEREAS, a request was received for a public gathering permit from the Church World Service 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 Church World Service for a Crop Walk to be held on October 9, 2011, the route of the walk traverses from Memorial Park throughout the Borough.

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

RESOLVED, That, the following Resolution 72-11, Quakertown Youth Baseball request to use the Majors' Field to hold a fund raising dance, be adopted:

## RESOLUTION NO. 72-11

WHEREAS, a request was received from Quakertown Youth Baseball Association to use the Majors' Field to hold a fund raising dance.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of Quakertown grants the request of the Quakertown Youth Baseball Association to hold a fund raising dance on the Majors' Field on July 12, 2011 from 7 to 9 p.m. provided that the Borough is added as an additional insured on the insurance.

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

Councilman Williams turned the next item regarding the proposed parks and recreation ordinance amendment over to Manager McElree. Manager McElree explained to Council the purpose of such an ordinance and pointed out that the Ordinance would allow banning anyone that violates the park rules and regulations. Manager McElree told Council of the vandalism that is occurring in the park system. Councilman Rosenberger asked whether the banning would be for a period of time or life? Manager McElree stated that is something that could be set by policy.

Councilman Williams stated that for the Fourth of July event, the weather turned out great and the fireworks were the best around. Manager McElree thanked Council for their participation in the Community Day event.

Manager McElree stated that during the budget session for 2011, water rate increases for the franchise district was discussed. The PUC will need to be petitioned to obtain permission for the rate increases. The Borough used AUS Consultants in 2004 and they were very successful.

Councilman Scholl reminded Council of the July 30<sup>th</sup> 24-hour Soccer Tournament, which includes food, music and entertainment. President Roberts commended Councilman Scholl for his

energy and time that he puts into several community events.

President Roberts adjourned the meeting to July 25, 2011, to consider the AUS Consultant proposal, Ordinance 1184 – Parks and Recreation amendment, and any other matters that may come before Council.

BOROUGH OF QUAKERTOWN

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L. James Roberts, Jr.  
President of Council

Attest:

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Phyllis R. Ewing  
Asst. Borough Secretary