

A regular meeting of the Borough Council was held September 7, 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 and Manager Scott C. McElree.

RESOLVED, That, the Minutes of August 3, 2011, be approved as written. Motion of Councilman Rosenberger, seconded by Councilman Scholl. A roll call vote was taken and the motion was unanimously carried.

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

	August 5, 2011	—	\$ 147,228.01
August 12, 2011	—	84,164.94	
August 19, 2011	—	844,142.49	
August 26, 2011	—	92,896.23	
August 31, 2011	—	6,005.49	
August 31, 2011	—	258,119.74	
August 31, 2011	—	6,655.97	

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

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

Visitors:

Mr. Warren Storck indicated that he would like to make a presentation to Council. President Roberts stated that since you are here regarding the senior citizens, you will be recognized during the Revenue & Finance Committee portion of the Agenda.

Bruce Hornberger, stated that he is here tonight representing 127 S. Fifth Street, the Atrium building. My home address is 1440 Bogie Avenue, Wescosville, PA.

Cheryl Laumakis, 24 South Fourth Street, here tonight regarding flooding issues.

William J. Dietz, 200 W. Thatcher Road Quakertown, owns a property on South Fourth Street.

John Higgins, 420 Juniper Street, indicated that he has flooding problems.

David Fenstermacher, 114 South Fourth Street, flooding problems.

President Roberts told the visitors that following two proclamations, they will be asked to speak on the flooding issues.

RESOLVED, That, the following Resolution 86-11, honoring the Woman's Club of Quakertown in celebrating their 100 years of service, be adopted:

RESOLUTION NO. 86-11

WHEREAS, the Woman's Club of Quakertown will be celebrating 100 years of service to the Quakertown Community, and

WHEREAS, the members of the Woman's Club of Quakertown are diverse in age, interest, and experience but all are united by a dedication to community improvement through volunteer service, and

WHEREAS, the Woman's Club of Quakertown has contributed to many local community programs to include the support of school supplies for needy children, personal items for women's shelters, books for babies, care packages for service personnel, clothing for veterans, supplies for local food pantries and countless other charities and programs.

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 all of the volunteers, past and present of the Woman's Club of Quakertown for supporting needed efforts throughout our community, and

BE IT FURTHER RESOLVED, That, Borough Council and the residents of the Borough of Quakertown join in recognizing and congratulating the Woman's Club of Quakertown for their 100 years of community service.

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

Councilwoman Scarborough presented the proclamation to the Woman's Club.

RESOLVED, That, the following Resolution 84-11, recognizing the members of the Penn Valley Church, be adopted:

Resolution 84-11

WHEREAS, the Panther Playground is a large wooden playground structure in Memorial Park and is enjoyed by thousands of children every year, and

WHEREAS, the Panther Playground requires regular reoccurring maintenance because of the wooden components and structure, and

WHEREAS, the Penn Valley Church and its members have volunteered and performed reoccurring maintenance on the playground to assist the Borough in maintaining the structure as a safe playground, and

WHEREAS, the Panther Playground was recently chosen as one of the top seven playgrounds in the greater Lehigh Valley.

NOW THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown recognizes Penn Valley Church and its members who volunteered their time and assisted the Borough in maintaining the Playground for the countless number of community youth who will continue to enjoy the Panther Playground.

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

Councilman Williams presented the recognition resolution to members of the Penn Valley Church.

#### REVENUE & FINANCE COMMITTEE

Mr. Storck stated that he was stunned when he read the September 2<sup>nd</sup> Morning Call's headline that the "Old Krupp Foundry Could Become a Park" He stated that he was advised that Quakertown doesn't have enough money for a senior center, but now has enough for the expansion of the current park. He asked where this money was when he approached Council? Instead of a bandshell, Mr. Storck asked that Council consider building a multipurpose building so that it could be used during the day as a senior center and in the evenings could be used for whatever purpose including band concerts. Councilman Rosenberger thanked Mr. Storck and indicated that Council does support the senior citizens with a \$700 monthly contribution towards the rent at Milford Fire Company. President Roberts pointed out that the funds for the park expansion is predicated on getting money from various grants and sources and would not be coming out of Borough funds.

Councilman Rosenberger made the following announcement: The Borough's Minimum Municipal Obligation (MMO) for the Borough pension plans will be submitted in September for a total of \$739,317.00 – (\$406,593.00 police pension, \$294,984.00 non-uniform and \$37,740 defined contribution plan). Part of the total will be offset by some state aid received for the police portion.

President Roberts announced that the members of the audience wishing to speak on the flooding issue may do so at this time.

Bruce Hornberger, one of the partners that owns the Atrium building in Quakertown, told Council of the problems he's been having with flooding since the high school added a parking lot. He indicated that they were then faced in 2004 with Hurricane Hugo and with help of the Fire Department kept most of the water out of the building. He stated that in October of 2010 they had 7" of water in the building. The 2010 incident cost he and his partner \$200,000. With this last storm, they had to again tear the carpet out (he provided pictures to Council of this incident). Mr. Hornberger told Council that last night we had a quick rain and water was spilling out of the storm sewer across his property and into the parking lot. Mr. Hornberger asked Council to solve this problem.

Manager McElree explained that the design of the Atrium's parking lot is that of a water retention basin since the property was developed in 1985. He indicated that he feels Mr. Hornberger should either contact Cowan Associates or another engineering firm that deals with stormwater management and have an assessment of his property to determine if his stormwater plan as constructed is adequate. He pointed out that we have had unusually wet weather in

August and September this year. He explained the procedures that Borough employees are following with regard to the stormwater issues.

President Roberts stated that since this matter cannot be solved this evening, Mr. Hornberger should meet with Manager McElree to discuss some of these issues and perhaps discuss obtaining an engineer. President Roberts pointed out that the Borough won't necessarily be able to solve Mr. Hornberger's problem, but the Borough will cooperate in areas of which the Borough has the authority and responsibility to cooperate.

Cheryl Laumakis indicated that she lived on South Fourth Street for 21 years and never had problems, until the high school added the parking lot. Since then, Ms. Laumakis indicated that her homeowners insurance has doubled and she has had tremendous water damage when the electric goes out.

President Roberts told the other Fourth Street residents that the Borough Manager will have a meeting with the High School officials regarding this issue. President Roberts told the Fourth Street residents that if their problem is the same as Cheryl's and they wish to add something they may do so.

Mr. Fenstermacher stated that everything was pretty much said, but he is getting tired of getting 8 feet of water in his basement. Mr. Fenstermacher stated that he feels the pipe is not large enough to handle the water that goes through there.

Mr. Higgins also commented on the size of the pipe. Mr. Higgins stated that the storm drain is not working, our homes are flooding.

President Roberts told the residents with the flooding problems that the Borough Manager will contact each of them in regard to this matter.

#### PLANNING & ZONING COMMITTEE

RESOLVED, That, the following Resolution 77-11, adopting the Green Points Policy, be adopted:

#### RESOLUTION NO. 77-11

WHEREAS, a policy on a "Green Points", Green Building Incentive Program has been prepared

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown does hereby adopt the Borough of Quakertown Green Building Incentive Program Policy dated September 7, 2011.

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

#### HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 87-11, Lion's Club to conduct the annual Halloween Parade, be adopted:

RESOLUTION NO. 87-11

WHEREAS, a request was received from the Quakertown Lions Club for the annual Quakertown Halloween Parade to waive the fee for the use of the bandshell and to approve the closing of the streets for the parade route. The requested street closings are:

Juniper Street from 4<sup>th</sup> Street to 11<sup>th</sup> Street,

Eleventh Street between Juniper and Broad Street,

Broad Street

3<sup>rd</sup> Street between Broad and Juniper

Fifth, Sixth and Seventh Streets between Broad and Park Avenue;

and

WHEREAS, Council, in the adoption of Resolution 19-06, reserved the right to waive these fees for certain civic or charitable events which they deem beneficial to the betterment of the community.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Lions Club Halloween Parade to close Borough streets and waive the fee for the use of the bandshell for their event on October 23<sup>rd</sup>, 2011 (rain date October 30, 2011).

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

RESOLVED, That, Council accepts the resignation of John Smoll from the Civil Service Commission. Motion of Councilman Johnson, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried.

Manager McElree announced the appointment of Thomas Paulovitz of 1014 Park Avenue to fill the unexpired term of John Smoll, which will expire December 31, 2015.

RESOLVED, That, Council ratifies the appointment of Thomas Paulovitz to fill the unexpired term of John Smoll on the Civil Service Commission. Motion of President Roberts, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 90-11, recognizing the volunteers of the Quakertown Fire Company No. 1, be adopted: RESOLUTION NO. 90-11

WHEREAS, The members of Quakertown Fire Company No. 1 keep our communities safe from the ravages of fire by stopping fires before they start through prevention as well as suppressing fires after they start; and

WHEREAS, The members of Quakertown Fire Company No. 1 dedicate themselves to the protection of life and property by the promotion of public awareness of methods for fire prevention, elevating standards and training for firefighters, increasing

their readiness to respond to suppress fires, reducing damage from hazardous materials, and arriving at catastrophic events that threaten the Quakertown community; and

WHEREAS, The Quakertown Fire Company No. 1 maintains equipment and assets to provide fire protection throughout the Quakertown community; and

WHEREAS, The Quakertown Fire Company No. 1 is dedicating a new fire engine and chemical truck, and has completed the renovations to the firehouse that continues to provide the appropriate equipment and building assets to maintain the professional responses to fire prevention and emergencies; and

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 all of the volunteers , past and present of the Quakertown Fire Company No. 1 for providing fire service to the Quakertown community; and

BE IT FURTHER RESOLVED, That, Borough Council and the residents of the Borough of Quakertown join in recognizing and congratulating the Quakertown Fire Company No.1 in dedicating the new fire engine and new chemical truck, as well as the dedication of the newly renovated firehouse .

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

Councilman Johnson announced that the Fire Company will be presented with the Resolution 90-11 proclamation on Saturday at the dedication of their new fire truck and firehouse.

#### PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 93-11, Wells 7, 8 and 9 Project bids, be adopted:

#### RESOLUTION NO. 93-11

WHEREAS, bids were received on August 16, 2011 for the Wells 7, 8 and 9 Project; and

WHEREAS, the bids came in over the amount budgeted.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Quakertown that any and all bids received for opening on August 16, 2011 for the Wells 7, 8 and 9 Project be rejected.

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

#### PUBLIC WORKS COMMITTEE

Councilman Erwin stated that there aren't any items for action under the Public Works Committee.

#### PARKS & RECREATION COMMITTEE

RESOLVED, That, the following Resolution 85-11, to permit the concept of skateboarding and BMX cycling demonstrations, be adopted:

RESOLUTION NO. 85-11

WHEREAS, a request was received from the Main Street Park Committee to schedule skateboarding and BMX cycling demonstrations to promote public awareness; and

WHEREAS, the Main Street Park Committee is a steering committee appointed by the Borough Council.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Main Street Park Committee to schedule skateboarding and BMX cycling demonstrations from 12:00 p.m. to 5:00 p.m. on September 17 and September 24 (rain date October 1).

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 89-11, adopting the Park Banning Policy, be adopted:

RESOLUTION NO. 89 -11

WHEREAS, on July 25, 2011, the Council of the Borough of Quakertown adopted Ordinance 1184, regulations for Municipal Facilities defining disorderly conduct and/or disturbing the peace; and

WHEREAS, in conjunction with Ordinance 1184, a Park Banning Policy has been prepared.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown does hereby adopt the Park Banning Policy dated September 7, 2011.

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

RESOLVED, That, the following Resolution 91-11, approving the Krupp Site Master Plan, be adopted:

RESOLUTION NO. 91-11

WHEREAS, a public meeting was held on August 22, 2011, to review concept designs of the Krupp property; and

WHEREAS, following the meeting Sketch Plan Concept #2 was the recommended plan as the bandshell is located in a more central portion of the site, facing southwest.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown approves Krupp Park Master Plan Concept No. 2, dated September 7, 2011, provided further necessary approvals and funding be obtained.

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

RESOLVED, That, Resolution 92-11, Krupp Site Committee request to seek and solicit funding, be adopted:

RESOLUTION NO. 92-11

WHEREAS, the Council of the Borough of Quakertown has approved the Krupp Park Master Plan, Sketch Plan Concept 2; and

WHEREAS, funds will be required to support the Krupp Site Park; and

WHEREAS, the Krupp Property Steering Committee requests to seek and solicit funding for the purpose of funding the Krupp Site Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, Pennsylvania authorizes the Krupp Property Steering Committee to seek and solicit funding for the purpose of funding the Krupp Site Park.

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

RESOLVED, That, the meeting be adjourned to September 12 at 5:15 p.m., to consider the South Main Street paving restoration bids 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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Scott C. McElree  
Borough Secretary



An adjourned meeting of the Borough Council was held September 12, 2011, 5:15 p.m.

The following members and officers were present: President L. James Roberts, Councilmembers David Erwin, Michael Johnson, Michelle Scarborough and Daniel Williams and Manager Scott C. McElree.

**PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 94-11, awarding the bid for South Main Street paving restoration, be adopted:

RESOLUTION NO. 94-11

ACCEPTING BID AND AWARDING CONTRACT TO

BRACALENTE CONSTRUCTION, INC.

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Bracalente Construction, Inc. of Northampton, PA, in the amount of \$49,225.00 for South Main Street paving restoration as per bid opened September 9, 2011, is hereby accepted. The contract is awarded to Bracalente Construction, Inc. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

Motion of Councilman Erwin, seconded by Councilwoman Scarborough.

Councilman Erwin asked if this would involve milling and resurfacing the entire street? Manager McElree indicated that is correct. Manager McElree pointed out that sufficient funds have been budgeted for this work.

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

**REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 95-11, Quakertown Alive to protect the architectural heritage of Quakertown, be adopted:

RESOLUTION NO. 95-11

WHEREAS, Quakertown Alive is a chartered non-profit 501(c)(3) entity that carries out the purposes of the Pennsylvania Main Street Program.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown recognizes as one of the purposes of Quakertown Alive to protect the architectural heritage of the Borough of Quakertown.

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

President Roberts declared the meeting adjourned.

BOROUGH OF QUAKERTOWN

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L. James Roberts, Jr.

President of Council

Attest:

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Scott C. McElree

Borough Secretary