

A regular meeting of the Borough Council was held March 6, 2013, 7:30 p.m.

The following members and officers were present: President L. James Roberts, Vice President Donald Rosenberger, Council members David Erwin, Michael Johnson, Douglas Propst, Edward Scholl and Daniel Williams, Jr. Councilmember Katherine Heft, Solicitor Charles Fonzone, and Manager Scott C. McElree.

RESOLVED, That, the Minutes of February 6, 2013, 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:

Feb. 1, 2013	—	\$ 93,733.65
Feb. 8, 2013	—	57,302.90
Feb. 15, 2013	—	218,161.24
Feb. 22, 2013	—	881,341.49
Feb. 28, 2013	—	618,277.45

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

### **PLANNING & ZONING COMMITTEE**

Councilman Scholl asked Jann Paulovitz to give a presentation on Quakertown Alive!

Jann Paulovitz gave a presentation on Quakertown Alive! accomplishments and goals, which included the following:

Arts Alive will be held on May 18, 2013. An activity added to this event is a wine tasting event in the Antique district on the East Broad Street location. Lynn Kraft is constructing a gateway at the railroad tracks. Bucks County trolley has committed to come to the event and take people from the downtown, up Broad Street to the Burgess Foulke House, the Chamber of Commerce, and McCoolle's. This is the first year the entire town will be included in this event.

Garden Affairs will be held on June 30<sup>th</sup>. It includes six houses along with the Marketplace. Burgess Foulke house will be open with the Keystone Quilters displaying their quilts.

Upper Bucks Brewfest will be held August 17<sup>th</sup> at the Quakertown Train Station and will include six local restaurants.

Money from these events will help with the marketing of the town and continue with the help of keeping up with the planters, the hanging baskets and the park.

The kiosk is still in the planning stages. Quakertown Alive received a \$5,000 grant from First Niagara. Half of this money will go toward the kiosk.

\$249,000 has been awarded and Naomi will have the budget ready for the new antique lighting.

Quakertown Alive! and Quakertown Borough will meet with the Preservation Historic Museum Commission and this will provide the guidelines for the downtown improvements.

Assessment has been completed with the PDC and Quakertown Alive's accreditation was approved for the Keystone Community. This is one of the highest achievements for the Main Street program.

The Quakertown In-Town Guide will have an art theme and show the talents of the Upper Bucks artists.

Another campaign started is Love your Local Campaign. Quakertown Alive! has almost 30 businesses that have joined. Quakertown Alive! will help with their advertising and they would like to get a marketing committee together for this.

Quakertown Alive's vision statement will be revisited on the 22<sup>nd</sup> and they will be meeting with the majority of the directors at the Pennsylvania Downtown Center.

The Grand Opening and ribbon cutting ceremony for the new bakery, Moussey Moose, will be on Friday, March 8, at 9:00 a.m.

RESOLVED, That, the following Resolution 31-13, Quakertown Clean-up Day, be adopted:

**RESOLUTION NO. 31-13**

WHEREAS, the Council of the Borough of Quakertown wishes to declare April 20, 2013 (rain date April 27, 2013) as Quakertown Clean-up Day.

NOW, THEREFORE BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown declares April 20, 2013 (rain date April 27, 2013) as Quakertown Clean-up Day in which a group of volunteers will clean trash from Borough owned properties.

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

**REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 22-13, disposition of records, be adopted:

Borough Of Quakertown  
Disposition of Municipal Records

Resolution 22-13

RESOLVED, by the Council of the Borough of Quakertown, Bucks County, Pennsylvania, that

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 approved July 16, 1993, 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 Council of the Borough of Quakertown, Bucks County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the attached public records:

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

RESOLVED, That, the following Resolution 25-13, release of Giant Food Store escrow, be adopted:

RESOLUTION NO. 25 -13

WHEREAS, on October 7, 2009, Borough Council adopted Resolution 110-09, which conditionally approved the subdivision and land development plan of Giant Food Stores, located in the Quakertown Plaza Shopping Center; and

WHEREAS, one of the conditions of the conditional approval was the establishment of an escrow account to cover the costs of improvements; and

WHEREAS, a site visit review by Cowan and Associates qualifies the release of the escrow account in the amount of \$58,050.93.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown grants the release of the escrow account in the amount of \$58,050.93.

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 27-13, Moose building contents auction, be adopted:

RESOLUTION NO. 27-13

WHEREAS, Resolution 47-12, was adopted by Council on April 23, 2012, authorizing the proper Borough Officials to sign an agreement of sale for the parcel of land and improvements at 113-115 East Broad Street, formerly owned by the Quakertown Moose Lodge; and

WHEREAS, Council wishes to have the building contents of the property at 113-115 East Broad Street sold by an auctioneer.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown authorizes the Borough Manager to proceed with the necessary steps to hire an auctioneer to sell the contents of the property at 113-115 East Broad Street, Quakertown, PA.

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

RESOLVED, That, the following Resolution 28-13, renovations to Historical Barn building, be adopted:

**RESOLUTION NO. 28-13**

WHEREAS, the Upper Bucks Chamber of Commerce and the Quakertown Historical Society wish to replace the garage doors on the Historical Barn building on Main Street with six aluminum and glass walls; and

WHEREAS, this building is owned by the Borough of Quakertown.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown approves this replacement and will oversee the work.

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

**HEALTH, SAFETY & WELFARE COMMITTEE**

RESOLVED, That, the following Resolution 24-13, YMCA's request to hold a Cinco de Mayo 5K Run on Borough Streets, be adopted:

**RESOLUTION NO. 24-13**

WHEREAS, a request was received from the YMCA to conduct a Cinco de Mayo 5K run on Borough streets.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the YMCA to hold a Cinco de Mayo 5K run on Borough Streets on May 1, 2013, starting at 7:00 p.m., provided they add the Borough as an additional insured on the insurance.

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

RESOLVED, That, the following Resolution 32-13, closing of Front Street for the Quakertown Alive Brewfest, be adopted:

**RESOLUTION NO. 32-13**

RESOLVED, That, Quakertown Alive! will be holding their Brew Fest on August 17, 2013 and has requested to close Front Street from 8:00 a.m. to 7:00 p.m. from Broad Street to Juniper Street.

NOW, THEREFORE, BE IT RESOLVED That the Council of the Borough of Quakertown grants the request of Quakertown Alive! to close Front Street from 8:00 a.m. to 7:00 p.m. from Broad Street to Juniper Street.

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

#### **PUBLIC UTILITIES COMMITTEE**

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

#### **PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 29-13, awarding the road resurfacing project, be adopted:

RESOLUTION NO. 29-13  
ACCEPTING BID AND AWARDING CONTRACT TO  
BRACALENTE CONSTRUCTION COMPANY, INC.

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Bracalente Construction Company, Inc. of Northampton, Pennsylvania, in the amount of \$234,450.20 for the 2013 road resurfacing project as per bid opened February 20, 2013, is hereby accepted. The contract is awarded to Bracalente Construction Company, Inc. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

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

#### **PARKS & RECREATION COMMITTEE**

RESOLVED, That the following Resolution 20-13, Krupp Park DCNR Grant request, be adopted:

RESOLUTION NO. 20-13

WHEREAS, the Borough of Quakertown ("Applicant") desires to undertake the following project: Krupp Site Park Development; and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant", including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant; and

NOW, THEREFORE, BE IT RESOLVED, That:

1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has TITLE of Quakertown Borough Council President.
2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the TITLE specified in paragraph 1 and the grantee will be bound by the amendment.

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

Under discussion, Manager McElree pointed out that with the agreement, Council supports and agrees to commit to \$300,000 in its 2014 budget (Capital Project Fund 20) for the Krupp Site Park Development Project.

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

RESOLVED, That, the following Resolution 21-13, Kevin Filoon's request to use Main Street Park for a Sports & Fitness Discovery Camp, be adopted:

#### RESOLUTION NO. 21-13

WHEREAS, a request was received from Kevin Filoon to hold a Sport & Fitness Discovery Camp in Main Street Park.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Kevin Filoon to hold a Sport & Fitness Discovery Camp in the Main Street Park, Mondays through Thursdays, June 17 thru July 25, 2013, from 8:30 a.m. to 12:30 p.m., provided they add the Borough as an additional insured on their insurance.

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 23-13, Kathleen Johnston's request to host a Zumbathon in Memorial Park, be adopted:

RESOLUTION NO. 23-13

WHEREAS, a request was received from Kathleen Johnston to use Memorial Park to host a Zumbathon.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Kathleen Johnston to use Memorial Park to host a Zumbathon on April 7, 2013, (rain date April 14), 12:30 p.m. to 2:30 p.m.

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 26-13, Quakertown Midget Football Association's request to hold a 5K Run, be adopted:

RESOLUTION NO. 26-13

WHEREAS, a request was received from the Quakertown Midget Football Association to conduct a 5K run on August 3, 2013, along the walking trails around the Sports Complex area and the possible closing of Cemetery Road.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Midget Football Association to conduct a 5K run within the Sports Complex area and the possible closing of Cemetery Road, provided that approval is received from Richland Township regarding Cemetery Road and that they add the Borough as an additional insured on the insurance.

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

RESOLVED, That, the following Resolution 30-13, Wiffle Ball Tournament at the "New Park", be adopted:

RESOLUTION NO. 30-13

WHEREAS, a request was received from Ed Scholl to hold a wiffle ball tournament in the "New Park" (Krupp property).

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of Ed Scholl to hold a wiffle ball tournament in the New Park located at 4<sup>th</sup> and Mill Streets, on Saturday, May 11, 2013, from 8:00 a.m. to 8:00 p.m. to benefit the Pride of Quakertown.

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

RESOLVED, That, the following Resolution 33-13, the Quakertown Area School District's request to use the tennis courts, be adopted:

RESOLUTION NO. 33-13

WHEREAS, a request was received from the Quakertown Area School District Tennis Team to use the Borough's tennis courts.

NOW, THEREFORE BE IT RESOLVED, That, the Council of the Borough of Quakertown grants the request of the Quakertown Area School District Tennis Team to use the Borough's tennis courts for the 2013 season, provided that the use by the Quakertown Area School District does not cause a scheduling conflict with other approved programs and the Borough is added as an additional insured on the insurance. The proposed schedule has been provided to the Borough Manager as presented by the Quakertown Area School District for the 2013 season.

Motion of Councilman Williams, seconded by Councilman Scholl. 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