

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

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

RESOLVED, That, the Minutes of December 20, 2012 and January 2, 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:

Jan. 4, 2013	—	\$333,158.17
Jan. 11, 2013	—	16,771.25
Jan. 18, 2013	—	990,605.73
Jan. 25, 2013	—	88,149.46
Jan. 30, 2013	—	351,405.81

Motion of Councilman Rosenberger, seconded by Councilman Propst.

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 Council members voting in favor: Erwin, Johnson, Propst, Rosenberger, 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 Johnson. A roll call vote was taken and the motion was unanimously carried.

Visitors:

John Edge, 220 S. Eleventh Street, Quakertown, stated that he would like to speak on the use of a tennis court for pickleball. Mr. Roberts indicated that he could speak during the Parks & Recreation Committee portion of the agenda.

RESOLVED, That, the following Resolution 19-13, appointing Probationary Policeman Paul Houseknecht, be adopted:

#### RESOLUTION NO. 19-13

WHEREAS, on January 2, 2013, Borough Council voted to authorize the Borough Manager to proceed with the selection process for the police officers; and  
WHEREAS, Paul Houseknecht successfully completed the process for the position of

probationary police officer.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Quakertown, Pennsylvania, That, effective February 1, 2013, Paul Houseknecht is appointed as a probationary officer in the Quakertown Police Department.

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

District Justice C. Robert Roth swore in Probationary Policeman Paul Houseknecht.

RESOLVED, That, the following Resolution 18-13, appointing a Corporal in the Quakertown Police Department, be adopted:

#### RESOLUTION NO. 18-13

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

WHEREAS, Police Officer Joshua C. Mallery scored the highest total score.

NOW, THEREFORE, BE IT RESOLVED, That, Council appoints Joshua C. Mallery as a Corporal in the Quakertown Police Department.

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

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

RESOLVED, That, reading of Ordinance 1198, Pedestrian-Oriented, Mixed-Use Overlay District, be waived. Motion of Councilman Scholl, seconded by Councilman Erwin. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Ordinance 1198, an Ordinance amending the Quakertown Borough Zoning Ordinance (Chapter 27 of the Codification of Ordinances) by creating a Pedestrian-Oriented , Mixed-Use Overlay District. Amending Chapter 27, Part 2, §201.2; Part 3, §301, §305, §309, §310, §315, Table 3.1; Part 4, §401, §406.5, Part 5, §504.4a, §504.4, Table 5.1, Table 5.2, Table 5.3, Table 6.1, §603; Appendix A and Appendix B; and adding §309.8 and §314.1, be passed finally.

Motion of Councilman Scholl, seconded by Councilman Erwin.

Councilman Scholl stated that this Ordinance was prepared in partnership with Bucks County Planning Commission. Councilman Scholl pointed out that this Ordinance will be effective upon review and approval of the Bucks County Planning Commission.

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

President Roberts stated that the Parks & Recreation Committee will be moved up on the agenda so that the visitors could be heard.

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

Councilman Williams told Mr. Edge that he could speak at this time.

Mr. Edge asked whether Council would consider turning one of their tennis courts into a pickleball court. Mr. Edge stated that pickleball is played with a perforated wiffle ball and paddles and can be played by anyone regardless of age or gender. Councilman Scholl pointed out that Main Street Park is being redone, perhaps it could be incorporated there. President Roberts asked that Mr. Edge meet with the Borough Manager to discuss the particulars of a pickleball court including cost so that it could be placed on the February 25<sup>th</sup> Work Session agenda. President Roberts told Mr. Edge that he and any others in his group could attend the Work Session.

Councilman Williams stated that there aren't any items for action under the Parks & Recreation Committee.

#### **REVENUE & FINANCE COMMITTEE**

RESOLVED, That, the following Resolution 9-13, Fire Department annual funding, be adopted:

##### **RESOLUTION NO. 9-13**

WHEREAS, the Borough of Quakertown wishes to donate \$65,000 as the Borough's 2013 contribution to the Quakertown Fire Department for their purchase of fire service equipment and other operating expenses.

NOW, THEREFORE, BE IT RESOLVED, That, the Council of the Borough of Quakertown, grants the release of \$65,000 to the Quakertown Fire Department from the General Fund (01) to be used for emergency services equipment and other operating expenses.

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 12-13, John Rivers Memorial VFW request for funding, be adopted:

##### **Resolution 12-13**

WHEREAS, a request for financial support was received from John Rivers Memorial VFW Post 11322.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown will appropriate \$500.00 for the year 2013, to be used in the payment of rent where such organization has its regular meetings.

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 14-13, Main Street Program support, be adopted:  
RESOLUTION NO. 14-13

WHEREAS, the Quakertown Alive! Program was formed on February 1, 1999, as a program of the National Main Streets Program; and

WHEREAS, the Quakertown Alive! Program works with businesses, property owners, local government, local and regional businesses and economic development organizations, and members of the community to promote investment in and the revitalization of downtown Quakertown; and

WHEREAS, the Quakertown Alive! Program is a certified Main Streets Program since 1999 by Pennsylvania Downtown Center; and

WHEREAS, the Quakertown Alive! Program is seeking designation as a Keystone Main Street Community; and

WHEREAS, the designation as a Keystone Main Street Community will enable Quakertown Alive! to access DCED funds for facade grants, make improved properties in the Main Street District eligible for the Enterprise Zone Tax Credit Program, give priority to grant and loan applications made to DCED for Keystone Communities Development Project within the Main Street District, and make Quakertown Alive! eligible for technical assistance and training; and

WHEREAS, a requirement of the Keystone Main Street Community designation is a commitment of municipal support; and

WHEREAS, the Borough of Quakertown has provided funding to Quakertown Alive! through annual contributions since its inception.

NOW, THEREFORE, BE IT RESOLVED, That:

1. The Borough of Quakertown recognizes the importance and benefits of continuing the Quakertown Alive! Main Street Program and intends to continue support of the program to assist with its sustainability throughout 2013.

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

RESOLVED, That, the following Resolution 16-13, changes to the Fee Schedule, be adopted:  
RESOLUTION NO. 16-13

WHEREAS, Resolution 114-12 was first adopted on December 5, 2012, and established the fees associated with Borough services; and

WHEREAS, the Borough wishes to amend the fees for tax certification, swim lessons; add utility rates and delete the kennel fee and branch pick-up fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the utility rate fees be added as follows:

Electric Department/Water Department/Sewer Department

Ordinance 1171, electric rates as adopted April 7, 2010 is added in its entirety;  
Ordinance 1188, water rates as adopted Feb. 1, 2012, is added in its entirety; and

Ordinance 1189, sewer rates as adopted Feb. 1, 2012, is added in its entirety.

BE IT FURTHER RESOLVED, That, the following fees be amended, as follows:

Administration

Tax Certification	
One Year	\$35.00
Returned Check	20.00

Quakertown Community Pool

Swimming Lessons	
Individual Per Person/Per Session	\$100.00

BE, IT FURTHER RESOLVED, That, the following fees be deleted in their entirety:

Police Department

Kennel Fee

Highway Department

Branch Pick-up

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

**HEALTH, SAFETY & WELFARE COMMITTEE**

RESOLVED, That, the following Resolution 15-13, Congenital Heart Defect Awareness Week, be adopted:

RESOLUTION NO. 15-13

WHEREAS, Congenital Heart Defects are the most frequently occurring birth defect and the leading cause of birth defect related deaths worldwide; and

WHEREAS, over a million families across America are facing the challenges and hardships of raising children with Congenital Heart Defects; and

WHEREAS, every year 40,000 babies are born in the United States with Congenital Heart Defects; and

WHEREAS, some Congenital Heart Defects are not diagnosed until months or years after birth; and

WHEREAS, undiagnosed congenital heart conditions cause many cases of sudden cardiac death in young athletes; and

WHEREAS, despite these statistics, newborns and young athletes are not routinely screened for Congenital Heart Defects; and

WHEREAS, a disproportionately small amount of funding is available for Congenital Heart Defect research and support; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Week will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about Congenital Heart Defects.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown proclaim February 7-14, 2013, to be Congenital Heart Defect Awareness Week and encourages all citizens to increase awareness, education and services for Congenital Heart Defects; and

BE IT FURTHER RESOLVED, That, the Borough Manager shall transmit copies of this resolution to Erik T. Weiner of Quakertown, Pennsylvania, for appropriate distribution.

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 17-13, naming Douglas C. Wilhelm to have authority for Hurricane Sandy reimbursement, be adopted:

RESOLUTION NO. 17-13  
DESIGNATION OF AGENT  
FOR HURRICANE SANDY DR-4099

BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown designates that Douglas C. Wilhelm, Fire Marshal/Deputy EMA is hereby authorized to execute for and in behalf of

the Borough of Quakertown, Bucks County, a public entity established under the laws of the Commonwealth of Pennsylvania, all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707).

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

#### **PUBLIC UTILITIES COMMITTEE**

RESOLVED, That, the following Resolution 13-13, awarding the power line tree trimming bids, be adopted:

#### **RESOLUTION NO. 13-13 ACCEPTING BID AND AWARDING CONTRACT TO ASPLUNDH TREE EXPERT COMPANY**

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Asplundh Tree Expert Company of Horsham, Pennsylvania, for power line right-of-way clearance and tree trimming, in the following amounts:

Year 1	—	\$ 97,166.38
Year 2	—	33,490.07
Year 3	—	36,799.22
Year 4	—	29,811.53

as per bid opened January 3, 2013, is hereby accepted. The contract is awarded to Asplundh Tree Expert Company. 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 Propst. A roll call vote was taken and the motion was unanimously carried.

#### **PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 11-13, commitment to the 2010-2012 Regional Household Hazardous Waste Collection Program, be adopted:

#### **RESOLUTION NO. 11-13**

WHEREAS, the Household Hazardous Waste Collection is a valuable aid to the residents of the Borough of Quakertown as well as neighboring communities.

NOW, THEREFORE, BE IT RESOLVED, That, the Borough Council of the Borough of Quakertown will commit to paying its proportional share of the Household Hazardous Waste Collection Program costs in the amount of \$1,166.81 per year for four years (2013 - 2016); and

BE IT FURTHER RESOLVED, That, the proper Borough official is authorized to execute the Household Hazardous Waste Municipal Commitment Form.

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

President Roberts declared the meeting adjourned at 8:15 p.m.

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