

A regular meeting of the Borough Council was held March 7, 2007, 7:30 p.m.

The following members and officers were present: President Dennis A. Hallman, Councilmembers Donald Rosenberger, Elfriede Werner, Daniel Williams, David Wilsey, David Zaiser, Solicitor Charles Fonzone, Manager Scott C. McElree and Asst. Borough Secretary Phyllis R. Ewing.

RESOLVED, That, the Minutes of February 7 and 26, 2007, be approved as written. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the financial reports be approved and vouchers drawn in payment of the bills listed thereon be ratified. Motion of Councilwoman Werner, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

CHECKS #

55002 — 55199

\$1,830,578.19

RESOLVED, That, the Treasurer's Report for February 2007 be received and spread on the minutes. Motion of Councilwoman Werner, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Treasurer's Report February 28, 2007				
Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$ 725,043.35	\$ 5,072.02	\$ 560,000.00	\$1,290,115.37
Water	874,040.55	4,683.38	250,000.00	1,128,723.93
Sewer	868,934.32	4,143.74	140,000.00	1,013,078.06
General	26,295.30	2,118.90		28,414.20
Payroll	200.00			200.00
Payroll Withholding	18,970.73			18,970.73
Debt Service Reserve		2,012.81		2,012.81
Fire Equipment		25,711.44		25,711.44
Recreation Fund	23,316.79			23,316.79
PA Motor License	18,905.21	606.04		19,511.25
Skate Park	22,928.56			22,928.56
Sinking Fund	454,220.51	3,752.40		457,972.91
1999-01 Equipment Replacement	123,860.69			123,860.69
<b>Totals</b>	<b>\$3,156,716.01</b>	<b>\$ 48,100.73</b>	<b>\$ 950,000.00</b>	<b>\$4,154,816.74</b>

RESOLVED, That, the Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilwoman Werner, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Visitors:

Benjamin Morriston, 200 West Broad Street, asked what the Borough is doing with regard to energy reform? President Hallman indicated that he could speak during the Public Utilities Committee portion of the Agenda.

Richard Mindler indicated that he is present regarding the train station.

Keith Haus of Doli Construction Corporation questioned why the bids are being rejected for the sanitary sewer line replacement. President Hallman told Mr. Haus that the Borough's Engineer will be present at tonight's meeting and this matter will be explained during the Public Utilities portion of the Agenda.

President Hallman announced that an executive session was held on Saturday, March 3, 2007 for the purpose of discussing employment, appointment, terms and conditions of employment of a prospective Finance Officer.

### **PLANNING & ZONING COMMITTEE**

RESOLVED, That, the following Resolution 12-07 approving the subdivision plans for 237 Hellertown Avenue, be adopted:

#### RESOLUTION 12-07

WHEREAS, Daniel L. Soliday has filed a subdivision plan to subdivide 237 Hellertown Avenue into three (3) lots with the existing house on Lot No. 2 ; and

WHEREAS, the Quakertown Planning Commission and the Bucks County Planning Commission have reviewed and recommended approval of the plan dated July 19, 2006 with the following waiver:

1. Waiver from lot lines substantially at right angles or radial to street lines (Subdivision and Land Development Ordinances Section 504.5).

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the plan dated July 19, 2006, including the above waiver, is approved. The plan must be recorded in Bucks County within ninety (90) days.

Motion of Councilman Wilsey, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

## **REVENUE & FINANCE COMMITTEE**

In Councilman Robert's absence, Councilman Rosenberger chaired the Revenue & Finance Committee portion of the Agenda.

The first item on the agenda is to consider approval of the train station retaining wall. A discussion ensued in which it was pointed out that the land is owned by the Borough and perhaps there would be more reasonably priced material to construct the retaining wall. This item was tabled until more cost effective information could be obtained.

RESOLVED, That, the proper Borough Official be authorized to sign the release of David Woglom from the Public Official Bond. Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council grant the request of Quakertown Alive for grant assistance. Motion of Councilman Rosenberger, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the following Resolution 13-07 creating the position of a Finance Director, be adopted:

### **RESOLUTION NO. 13-07**

RESOLVED, that the Council of the Borough of Quakertown establishes the position of Finance Director; and

BE IT FURTHER RESOLVED, that in accordance with the Code of Ordinances of the Borough of Quakertown, Part 4, C. Borough Manager, Section 434. Functions, Powers and Duties of Manager. The Borough Manager is authorized to hire a Finance Director utilizing the following guidelines:

- a. The Finance Director shall have a background in Municipal Finance;
- b. The starting salary shall be commensurate with the experience of the prospective Finance Director;
- c. Benefits shall be in accordance with those given to employees of the Borough of Quakertown;

- d. The position of Finance Director will be an at will position;
- e. The position of Finance Director will be under the direct supervision of the Borough Manager;
- f. The position of Finance Director will be considered a Management position;
- g. The terms of employment will be memorialized in a written document to be prepared by the Borough Solicitor or his designee.

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

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

RESOLVED, That, Council supports the Forum on Aging to be held on May 4 and allow posting the event on the Borough web site. Motion of Councilwoman Werner, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of Quakertown Alive! to close the downtown triangle and obtain PennDOT permit to close East and West Broad Street from Fourth Street to Hellertown Avenue for their Arts Festival on May 19. Motion of Councilwoman Werner, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council supports and sponsors National Night Out on August 7 including a donation of \$600. Motion of Councilwoman Werner, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council approves the acquisition of a police motorcycle. Motion of Councilwoman Werner, seconded by Councilman Williams.

Under discussion, Councilman Wilsey asked if the purchase would be bid as a lease or direct purchase? Manager McElree indicated that the motorcycle would be purchased. Councilman Rosenberger asked who would the bidders be for a Harley Davidson? Manager McElree indicated that there are area dealers that would bid.

A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Councilwoman Werner pointed out that in order to save approximately \$2,500 on

the motorcycle, Council may have to hold a special meeting in order to award the bid. The \$2,500 is being offered provided the new police motorcycle will be displayed in the Atlantic City Police Equipment show for two days.

### **PUBLIC UTILITIES COMMITTEE**

RESOLVED, That, the following Resolution 10-07 awarding the bids on the 2007 chemical purchases be adopted:

#### **RESOLUTION NO. 10-07 ACCEPTING BIDS AND AWARDING CONTRACTS**

RESOLVED, by the Council of the Borough of Quakertown, That, the following bids be accepted and contracts awarded to:

Delta Chemical Corporation of Baltimore, Maryland for:  
Aluminum Sulfate @ \$227.58/dry ton

Brenntag North East, Inc. Of Wayne, Pennsylvania for:  
Potassium Permanganate @ \$2.19/lb.

Basic Chemical Solutions of Morrisville, Pennsylvania for:  
Sodium Bisulfite @ \$1.72/gal

Buckman's, Inc. of Pottstown, Pennsylvania for:  
Sodium Hypochlorite @ \$1.38/gal.

The contracts are awarded in accordance with bids opened February 21, 2007. The Borough Manager is hereby authorized to execute the said contracts on behalf of the Borough of Quakertown.

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

Benjamin Morrison asked if the Borough could use more energy-efficient motors and asked that Council encourage businesses to replace old motors with the new more energy efficient motors.

Councilman Wilsey pointed out that the Borough's electric power is purchased. President Hallman stated that motors in factories would be private industry, which is up to each individual company. Manager McElree indicated that hybrid cars interiors are not currently conducive to police cars. He further pointed out that the motorcycle will save on

fuel. It was indicated that energy conservation tips will be placed in the Borough newsletter.

Bill Kee, the Borough Engineer, explained the necessity in rejecting the bids for the sanitary sewer line replacement in that the funds available from PennVEST for this phase of the project amounts to \$345,000 and the two bids came in at \$427,868 and \$473,358. Cowan Associates is recommending that the bids be rejected and rebid with some items being excluded. Councilman Zaiser questioned the sliplining experience requirement? Mr. Kee pointed out that the specification clause was that the contractors were required to have, within the five year period prior to the bid, successfully completed at least three contracts for similar work in an amount not less than 85% of the proposed bid. Mr. Kee indicated that Doli is an experienced contractor, but has not done a great amount of sliplining work. Councilman Rosenberger asked if that is an important aspect of the bid specification and are a lot of companies being excluded due to not having his type of experience in this type of work? Mr. Kee indicated that he feels it is an important aspect because it is very specialized work and must be done correctly. Mr. Kee stated that the bid specifications could indicate a lesser amount than 85% of the proposed bid. It was pointed out that both bidders were notified that the bids were going to be rejected and the bid would be rebid.

RESOLVED, That, the sanitary sewer line rehabilitation bids of Doli Construction Corporation and Propipe be rejected. Motion of Councilman Zaiser, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, the sanitary sewer line rehabilitation go out for rebidding with new specifications. Motion of Councilman Zaiser, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

### **PUBLIC WORKS COMMITTEE**

RESOLVED, That, the following Resolution 11-07 awarding the bid on lawn and vegetation control be adopted:

RESOLUTION NO. 11-07  
ACCEPTING BID AND AWARDING CONTRACT TO  
R & R LAWN SERVICE, INC

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of R & R Lawn Service, Inc of Martins Creek, Pennsylvania, in the amount of \$20,000.00 for Lawn and Vegetation Control as per bid opened February 19, 2007, is hereby accepted. The contract is awarded to R & R Lawn Service, Inc. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

Motion of Councilman Zaiser, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (Councilmember Roberts — absent).

### **PARKS & RECREATION COMMITTEE**

RESOLVED, That, Council grants the request of Quakertown Varsity Baseball Team to use Memorial Park Stadium . Motion of Councilman Williams, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council grants the request of the Upper Bucks YMCA to use Memorial Park and streets for a 5K Run on April 7. Motion of Councilman Williams, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council grants the request of the Upper Bucks YMCA to hold Tennis Camps from June 1 to September 1. Motion of Councilman Williams, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council grants the request of the Upper Bucks YMCA to hold Tennis Tournaments from July 16 to July 20. Motion of Councilman Williams, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

RESOLVED, That, Council grants the request of the Upper Bucks YMCA to hold T-Ball at the Memorial fields retention basin from April 24 to June 19. Motion of Councilman Williams, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

Councilman Williams announced the donation of \$10,000 from the Quakertown Celebration Committee to be used toward the planning of a portion of the Krupp Foundry site into park land including a bandshell site.

RESOLVED, That, Council grants the public gathering permit to Wallace Willard Keller Post 242 for the Memorial Day Parade. Motion of Councilman Williams, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (Councilman Roberts — absent).

President Hallman declared the meeting adjourned at 8:25 p.m.

BOROUGH OF QUAKERTOWN

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Dennis A. Hallman  
President of Council

Attest:

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Phyllis R. Ewing  
Asst. Borough Secretary