

A regular meeting of the Borough Council was held April 4, 2007, 7:30 p.m.

The following members and officers were present: Vice President L. James Roberts, Councilmembers Donald Rosenberger, Elfriede Werner, Daniel Williams, David Wilsey, David Zaiser, Solicitor Charles Fonzone, Manager Scott C. McElree and Recording Secretary Kris La Cava.

RESOLVED, That, the Minutes of March 7, 2007, be approved as written. Motion of Councilwoman Werner, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unani-mous-ly carried (President Hallman - absent).

RESOLVED, That, the financial reports be approved and vouchers drawn in payment of the bills listed thereon be rati-fied. Motion of Councilman Zaiser, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (President Hallman - absent).

CHECKS #

55200 – 55383 \$1,680,102.88

RESOLVED, That, the Treasurer's Report for March 2007 be received and spread on the minutes. Motion of Councilwoman Werner, seconded by Councilman Williams. A roll call vote was taken and the motion was unani-mous-ly carried (President Hallman – absent).

Treasurer's Report

March 31, 2007

Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$ 487,605.81	\$ 305,085.08	\$560,000.00	\$1,352,690.89
Water	351,786.72	604,694.17	250,000.00	1,206,480.89
Sewer	610,140.36	604,153.32	140,000.00	1,354,293.68
General	72,505.73	2,122.85		74,628.58
Payroll	200.00			200.00
Payroll Withholding	24,709.55			24,709.55

Debt Service Reserve		2,020.51		2,020.51
Fire Equipment		25,809.14		25,809.14
Recreation Fund	23,401.76			23,401.76
PA Motor License	18,974.09	607.22		19,581.31
Sinking Fund	490,249.76	3,758.46		494,008.22
1999-01 Equipment Replacement	124,303.53			124,303.53
Totals	<b>\$2,203,877.31</b>	<b>\$1,548,250.75</b>	<b>\$950,000.00</b>	<b>\$4,702,128.06</b>

RESOLVED, That, the Police Department, Zoning Administrator and Building Inspector reports be received and filed. Motion of Councilman Williams, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

Visitors:

John Edge, 220 S. 11<sup>th</sup> Street, indicated that he would like to speak regarding the tennis courts on Mill Street. Vice President Roberts indicated he could speak during the Parks & Recreation portion of the meeting.

A representative from Congressman Patrick Murphy’s office presented Marie and Mike Farley from the Nockamixon area and Rod Van Pelt of the Quakertown Moose with a leather bound copy of a speech Congressman Murphy made in Congress praising their efforts in raising more than \$35,000 to buy helmet liners for a national effort called Operation Helmet. The money was used to purchase over 500 kits to supply an entire U.S. Marine company stationed in Iraq, which the Farley’s son Michael was a corporal. Congressman Murphy was inspired by the fundraising support and feels families should not be forced to pay for their loved ones equipment. He is co- sponsoring a reimbursement bill and if ratified, would allow soldiers and or families who have paid for the helmet liners to apply for reimbursement.

Vice President Roberts stated that on behalf of Borough Council and the borough residents they join in congratulating the thoughtfulness and energies that have gone into this project and it shows and compliments the community spirit of Quakertown and the surrounding area in this kind of effort.

## PLANNING & ZONING COMMITTEE

Councilman Wilsey indicated that there are not any items for consideration under the Planning & Zoning Committee.

## REVENUE & FINANCE COMMITTEE

RESOLVED, That, Council grants the request of the Relay of Life Committee for the use of the band shell for their event to be held May 5<sup>th</sup> – 6<sup>th</sup>, 2007 and further that Council waive the required band shell fee. Motion of Vice President Roberts, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

RESOLVED, That, Council authorize a retention wall be constructed with Borough provided labor and materials on the south side of the Borough lot abutting the Train Station. Motion of Vice President Roberts, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

Vice President Roberts announced that a new name will be engraved on the War Memorial in the Memorial Park. A representative from the American Legion gave a briefing on Tamarra J. Johnson, the fallen soldier whose name which will be engraved. Ms. Johnson was born and raised in Quakertown. She went to the Persian Gulf but before going received her shot that was required. Two days after she arrived there she became sick and was transported to Germany and then to Maryland where she died about a week later.

Vice President Roberts stated her engraving will be paid by Quakertown Borough just as all other veterans listed.

## HEALTH, SAFETY & WELFARE COMMITTEE

RESOLVED, That, the following Resolution 14-07 awarding the bid to purchase a Quakertown Police Department Patrol Motorcycle be adopted:

### RESOLUTION NO. 14-07

### ACCEPTING BID AND AWARDING CONTRACT TO

### BRIANS HARLEY-DAVIDSON/BUELL

RESOLVED, by the Council of the Borough of Quakertown, That, the bid of Brians Harley-Davidson/Buell of Langhorne, Pennsylvania, in the amount of \$14,887.50 for Quakertown Police Department Patrol Motorcycle as per bid opened March 22, 2007, is hereby accepted. The contract is awarded to Brians Harley-Davidson/Buell. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

Motion of Councilwoman Werner, seconded by Councilman Williams.

Councilman Wilsey asked Borough Manager/Chief of Police McElree if the motorcycle will be produced and delivered by the last week in May, in time to take advantage of the free equipment offer to be installed before the Atlantic City Police Equipment Show? Borough Manager/Chief of Police McElree stated that Harley-Davidson will try their best to be able to make those arrangements, but because of their strike there are no guarantees.

A roll call vote was taken on the above motion and the motion was unanimously carried (President Hallman – absent).

RESOLVED, That, Council approve a crosswalk at Fourth Street and Erie Avenue. Motion of Councilwoman Werner, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

RESOLVED, That, Council grants the request to the Quakertown Community Crop Walk Committee to conduct the annual Crop Walk on October 14, 2007 from 11:00 am to 6:00 pm. Motion of Councilwoman Werner, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

RESOLVED, That, Council authorize Borough Manager McElree to forward a letter to Penn DOT pertaining to reducing the speed limit on Broad Street to twenty-five miles per hour. Motion of Councilwoman Werner, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

#### PUBLIC UTILITIES COMMITTEE

RESOLVED, That, the following Resolution 16-07 awarding the bid for year four of the PennVEST project be adopted:

#### RESOLUTION NO. 16-07

#### ACCEPTING BID AND AWARDING CONTRACT TO

#### PROPIPE

RESOLVED, by Council of the Borough of Quakertown, That, the bid of Propipe of Chalfont, PA, in the amount of \$408,300.00 for Sewer Line Rehabilitation Year 4 as per bid opened March 23, 2007, is hereby accepted. The contract is awarded to Propipe. The Borough Manager is hereby authorized to execute the said contract on behalf of the Borough of Quakertown.

Motion of Councilman Rosenberger, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

## PUBLIC WORKS COMMITTEE

Carol Vybiral, Chairwoman of Quakertown Green-up was present to discuss the tree project which will start, Tuesday, April 10, 2007. The Borough will be receiving 87 trees which will be planted in Quakertown Borough by the Public Works Department. She mentioned if anyone was interested in mulching, on April 14, 2007, there is a group of volunteers getting together to help. Ms. Vybiral stated that there are four large existing trees in front of the Historical Building on Main Street planted under power lines which are dying inside from being topped many times. Ms. Vybiral is requesting to have these four trees cut down, have the remaining trunks ground below ground level and the roots removed so new trees could be planted.

Borough Manager McElree stated that the Borough does not have the equipment to do that type of work, so a professional tree service would be required or possibly rent the equipment, but either case there would be an added expense.

Vice President Roberts questioned how the Borough initially was going to receive 50 trees and now we are getting 87 trees. Ms. Vybiral stated that she was asked if Quakertown Borough could use more trees than the original amount and she said yes. Vice President Roberts also asked how the trees will survive until they get planted. Ms. Vybiral answered that they will be stored in a secured sight at Public Works, they will be mulched in and routinely watered until they are planted.

Vice President Roberts also asked the anticipated life span of a tree which is kept in that fashion. Ms. Vybiral answered that trees are kept this way at nurseries for an entire season.

Vice President Roberts informed Ms. Vybiral that this will go on the agenda for next months Council meeting so that time is given for the Historical Society members to review the request of the four trees to be cut down and also time for Borough Manager McElree to get cost information from renting equipment or to hiring a professional tree service. Ms. Vybiral said that would be fine even if just the trees get cut down without the grinding of the trunk.

Councilman Wilsey reminded Ms. Vybiral to call the PA One System before any digging is started and thanked her for her work.

## PARKS & RECREATION COMMITTEE

Mr. Edge was told he could speak at this time. Mr. Edge stated that the tennis courts on Mill Street are wonderful and well maintained, but in the winter months all the nets are taken down. He requested for two nets on the courts, preferably on the Mill Street side, not Ninth Street, to stay up throughout the year, especially since there have been some warmer nights throughout the past winters to still play tennis.

Councilman Wilsey stated he did not see a problem with it since the ultra violet rays in the summer are probably more damaging to the nets.

Mr. Edge had a second request regarding the tennis court lights on a timing mechanism. He stated that when the time is up and the lights go out, it takes approximately 15 minutes for them to come back on again which he feels is a long time to wait while you are in the middle of a match. Mr. Edge was wondering if maybe a different timing mechanism could be put on the lights.

Vice President Roberts indicated that someone would look into the situation and get back to him.

RESOLVED, That, Council grants the request of the Venture Crew 55 (Boy Scouts) to hold a skate competition at the skate park on Main Street and further that Council waive the band shell fee. Motion of Councilman Williams, seconded by Councilman Wilsey.

Councilman Zaiser asked for confirmation that waiving of the band shell fee was for the betterment of the community. Vice President Roberts read that Council reserves the right to waive all or part of these fees for certain civic or charitable events which Council may deem beneficial to the betterment of the community and since it involves the Boy Scouts, that would be for the better of the community. Councilman Zaiser agreed.

A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

Vice President Roberts read the following names to be appointed to the Steering Committee pertaining to the Krupp Property project: Daniel Williams-Council Member, Donald Rosenberger-Council Member, Allen Whitaker of Hellertown Avenue, Cathy Gillahan of E. Broad Street, John Smoll of Park Avenue, William Peischel of 7<sup>th</sup> Street and Georganna Paulovitz of Park Avenue.

RESOLVED, That, the Steering Committee appointments made by Vice President Roberts be ratified. Motion of Councilman Williams, seconded by Councilwoman Werner. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent) and the following Councilmember abstaining: Vice President Roberts.

RESOLVED, That, the following Resolution NO. 15-07 establishing the wages for summer employees in the Swimming Pool and KIDS Program be adopted:

#### RESOLUTION NO. 15-07

WHEREAS, Borough Council wishes to establish the wages for summer employees in the Swimming Pool, and KIDS Program.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown that the wages for Swimming Pool and KIDS Program summer employees shall be as follows:

## SWIMMING POOL

Manager \$ 14.95/hour

Assistant Manager 11.25/hour

Snack Stand Manager 10.75/hour

Head Guard 10.50/hour

1<sup>st</sup> year Guard/Front Desk 8.75/hour

2<sup>nd</sup> year Guard/Front Desk 9.25/hour

Guard/Front Desk (3 or more years) 9.75/hour

1<sup>st</sup> Year Snack Stand 6.75/hour

2<sup>nd</sup> Year Snack Stand 7.00/hour

Snack Stand (3 or more years) 7.50/hour

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## KIDS PROGRAM

Director \$ 12.25/hour

Assistant Director 10.00/hour

1<sup>st</sup> year Counselor 8.25/hour

2<sup>nd</sup> year Counselor 8.75/hour

3<sup>rd</sup> year Counselor 9.25/hour

Counselor (4 or more years) 9.50/hour

Motion of Councilman Williams, seconded by Councilwoman Werner.

Councilman Zaiser stated that he was not in favor of the pool Manager getting an increase, at least for the first month of the summer, due to a number of issues and concerns in the memorandum dated March 27, 2007 written from Borough Manager McElree to Council, along with various things he witnessed last summer. Councilman Zaiser stated that if there was an improvement, than an increase should be given.

Councilman Zaiser made an amended motion keeping the Manager's wage at \$14.42 an hour and the Assistant Manager's at \$11.25 and all other rates would be pursuant to that of what Councilman Williams had read. This motion was seconded by Councilman Wilsey.

Councilman Wilsey asked clarification of the amended motion that just the Manager's salary would not increase and the Assistant Manager's salary would stay the same along with the other positions listed? Councilman Zaiser stated that that was correct and although it seems minimal, with all the problems at the pool he feels it would be beneficial.

Councilman Rosenberger questioned Borough Manager McElree if some of the problems listed in the memorandum were the sole responsibility of the pool Manager or should have Barbara Stoneback or Joe Murgia addressed some of these issues before the pool was closed. Borough Manager McElree stated yes, the buck stops at the top and as he mentioned in the memorandum he is planning on fixing these problems this year. Councilman Rosenberger agreed that most of these things could have been handled by the pool Manager.

Councilman Zaiser stated he does not have a doubt that these problems will be rectified with Borough Manager McElree keeping a close eye on things at the pool but he still feels a raise is not warranted. Councilman Zaiser mentioned last year when he was there some employees were reading books, there was trash on the grass, the trash cans were overflowing and there were various pieces of clothing lying on the sidewalk for hours at a time. Councilman Zaiser pointed out that the pool is the community's prized possession and should be taken pride in and should be managed as such.

Councilman Wilsey pointed out to Councilman Zaiser that the Manager is returning but the Assistant Manager from last year is not returning and a raise has not been proposed for that position. Councilman Zaiser stated that he stands corrected on that.

Vice President Roberts clarified that the amended motion is for the one item only and that is for the Manager's salary staying at \$14.42.

Borough Manager McElree mentioned that after speaking with Barbara Stoneback they feel that the job can probably be done as effective or more effective this year with less employees at the pool, as Councilman Zaiser mentioned there were times when employees were reading books. Borough Manager McElree was told that could have been because there were too many employees. Borough Manager McElree and Barbara Stoneback discussed this year of reducing the staff to keep them busier and more effective.

Councilman Wilsey questioned if the pool Manager has the responsibility of letting employees go early if there is not enough work. Borough Manager McElree answered that was correct.

Vice President Roberts reminded Council to confine the discussion to the motion on the floor mentioned above.

A roll call vote was taken and the amended motion was defeated with a tie vote

with the following Councilmembers voting in favor: Rosenberger, Wilsey, Zaiser and the following Councilmembers voting against; Werner, Williams and Vice President Roberts.

The original motion with the pool Manager receiving \$14.95 an hour was put back on the floor. A roll call vote was taken and the motion carried by majority vote with the following Councilmembers voting in favor: Rosenberger, Werner, Williams, Vice President Roberts and the following Councilmembers voting against; Wilsey and Zaiser.

RESOLVED, That, Council grants approval to the Upper Bucks YMCA & Quakertown Borough for Family Water Safety Day to be held June 23, 2007 at the Quakertown Pool. Motion of Councilman Williams, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

Todd Wood representing the Quakertown Midget Football Association was present along with Bob Wheeler of Horizon, HVAC, Inc. Mr. Wood explained that Bob Wheeler is willing to donate a cooling system along with his time to install it in the Midget Football building.

Councilman Wilsey asked who pays the electric to the football facilities. Councilman Williams stated that the electric is paid through the Borough's park account.

Councilman Wilsey asked Mr. Wood what they would be gaining by having central air in the building since he is not familiar with the inside of it. Mr. Wood indicated that the kitchen, which generates most of their funds, gets extremely warm especially in August with the grills and fryers on. Mr. Wood also mentioned that the football association would also use it upstairs for their monthly meeting in June and July but the majority usage would be in August when practice is four nights a week until school starts then practice is two nights a week.

Mr. Wood explained that the central air will have a programmed thermostat that can be set to run at an economic setting.

Vice President Roberts asked Mr. Wheeler what the retail value would be for the project. Mr. Wheeler stated the cost of the job would be approximately \$7,000.00 - \$7,500.00.

Mr. Wood mentioned that the Quakertown Midget Football Association is strong and well respected through their league and has received National awards for their facility which is owned by the Borough. Mr. Wood thanked the Borough for everything they have provided to them throughout the years.

Vice President Roberts stated the feeling is mutual and highly symbiotic.

RESOLVED, That, Council grants approval to the Quakertown Midget Football Association to install central air conditioning in the Midget Football Building. Motion of

Councilman Williams, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried (President Hallman – absent).

Councilman Williams mentioned that there will be a Community Day meeting on Thursday, April 19, 2007, 7:00 p.m. at Borough Hall for anyone who would like to volunteer.

Solicitor Fonzone pointed out to Vice President Roberts and Borough Manager McElree that the Liability Insurance Certificate for the Pool Safety Day does not give any coverage to the Borough of Quakertown. The Borough of Quakertown is just listed as a Certificate Holder and not as Insured. Solicitor Fonzone stated that the Borough needs to be placed as an additional insurer along with the YMCA. Borough Manager McElree stated that he would take care of that change.

Vice President Roberts declared the meeting adjourned at 8:30 p.m.

BOROUGH OF QUAKERTOWN

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L. James Roberts, Jr.  
Vice President of Council

Attest:

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Kris La Cava

Recording Secretary<sup>1</sup>

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