

A regular meeting of the Borough Council was held June 6, 2007, 7:30 p.m.

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

RESOLVED, That, the Minutes of May 2, 2007, be approved as written. Motion of Councilman Roberts, seconded by Councilman Williams. A roll call vote was taken and the motion was unanimously carried.

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

CHECKS #

55600 – 55916

\$2,862,419.30

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

Treasurer's Report May 31, 2007				
Fund	Savings/Checking	PLGIT	CD	Total
Electric Fund	\$ 440,263.10	\$ 305,515.96	\$560,000.00	\$1,305,779.06
Water	418,431.95	605,504.88	250,000.00	1,273,936.83
Sewer	537,748.34	604,958.25	140,000.00	1,282,706.59
General	85,144.64	2,144.94		87,289.58
Payroll	200.00			200.00
Payroll Withholding	19,632.11			19,632.11
Debt Service Reserve		2,037.20		2,037.20
Fire Equipment		26,010.47		26,010.47
Recreation Fund	23,587.90			23,587.90
PA Motor License	19,053.11	613.54		19,666.65
Sinking Fund	49,302.46	3,798.90		53,101.36
1999-01 Equipment Replacement	125,193.97			125,193.97
Totals	\$1,718,557.58	\$1,550,584.14	\$950,000.00	\$4,219,141.72

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

Visitors:

Dennis Fedorowicz from Richlandtown Borough wished to speak with regard to the Quakertown Fire Department.

Heidi Marko wished to speak on behalf of her deceased sister Robin Shaffer and the proposed Robin's Law.

Ed Scholl, Chairman of Relay for Life, announced that this year the 8th Relay for Life was held and at present has raised \$253,000.00 surpassing their goal of \$200,000.00. Mr. Scholl thanked Borough Council, the community, the surrounding municipalities and the Relay for Life Committee for their help. The new Chairperson of the Relay for Life, Julie Williams, was going to make a presentation to the Borough of a red maple tree to be planted in the park along with a plaque, but she could not make the meeting tonight. The tree, representing the life of the people who were present at the event, was a gift from the Harvest Community Church. A representative from the Harvest Community Church stated that the Relay for Life is a beautiful event bringing thousands of people together for one cause. Mr. Scholl stated that once the plaque is finished and a spot is picked out in the park for the tree to be planted, Ms. Williams will come back to present it to the Borough.

President Hallman congratulated Mr. Scholl for exceeding their goal and wished the Relay for Life continued success.

HEALTH, SAFETY & WELFARE COMMITTEE

Heidi Marko was present to thank Borough Council and especially Councilman Zaiser for bringing attention to Robin's Law. Ms. Marko feels by passing the Resolution to support Robin's Law it is a way to honor Robin and hopes it possibly could save another person or family from going through the tragedy her family experienced. Ms. Marko mentioned that had her sister known her husband was a previous violent offender, she believes Robin would not have gotten involved with him and she would have been able to make an educational decision. Also Robin's family would have known more information of his past and would have been able to better protect her.

RESOLVED, That the following Resolution 19-07, Supporting Robin's Law be adopted:

RESOLUTION NO. 19-07

RESOLVED, That the Borough Council of Quakertown, Pennsylvania, supports the legislation to adopt a statewide domestic offender registration with a data base for public access, known as "Robin's Law". Motion of Councilwoman Werner, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried.

President Hallman stated that the Borough will take the proper steps to show that the Borough supports this legislation by contacting our representatives and senators. President Hallman also stated that hopefully this will help save somebody in the future.

RESOLVED, That, the following Resolution 24-07 reducing the speed limit on Broad Street be adopted:

RESOLUTION NO. 24-07

WHEREAS, the Council of the Borough of Quakertown wishes to reduce the speed limit on Broad Street (Route 313); and

WHEREAS, the Pennsylvania Department of Transportation has reviewed the speed limit on Broad Street (Route 313) and reported the speed limit may be reduced from 35 mph to 30 mph in the appropriate zones.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Quakertown request the approval of the Pennsylvania Department of Transportation to reduce the 35 mph speed zones on Broad Street (Route 313) between Route 309 and east Borough line to 30 mph, and that the current 25 mph zones remain 25 mph.

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

RESOLVED, That the following Resolution 20-07 pertaining to the Junior Council Person position be adopted:

RESOLUTION NO. 20-07

WHEREAS, the Junior Council Person (JCP) Program through the Pennsylvania State Association of Boroughs (PSAB) invites young people in boroughs to participate in the governing process of their own community; and

WHEREAS, the JCP Program can model for our younger residents ideals such as teamwork, non-partisanship, due diligence, and critical thinking, the budgeting process, the passage of resolutions and ordinances, the Borough Code, Roberts Rules of Order, the Sunshine Act, and other important aspects of local government; and

WHEREAS, the JCP Program will continue to foster a spirit of citizenship and volunteerism in our young people, preparing them for such volunteerism as they eventually become stewards of our community;

WHEREAS, the PSAB advises its member boroughs to pass a resolution similar to this one, including description and implementation details of the program, as the beginning point for implementation of the JCP Program,

NOW THERE BE IT RESOLVED that the Borough of Quakertown intends to participate in the Pennsylvania State Association of Boroughs' Junior Council Person Program, as consisting of the following:

1. One Junior Council Person (JCP) will serve in an auxiliary capacity to the Quakertown Borough Council, such person

being a student in academic grade 11 or 12; such person must reside in the Borough of Quakertown but the student may attend school outside the Borough, or be a home-schooled student in the Borough.

2. The position of JCP lasts one year commencing June and expiring June of the following year.
3. Upon selection, the JCP will submit a biography and photograph to the Borough for publicity use, and the parent or legal guardian of the JCP will provide a signed release allowing the Borough to use such information and further protecting Quakertown from liability regarding the JCP's participation.
4. The JCP will be given an "oath of office" by the President of Council at the start of the JCP's term.
5. If the JCP program is being used as a graduation project to satisfy Pennsylvania State High School graduation requirements, project goals, requirements and responsibilities will be developed by Council, and signed off on by the appropriate staff member(s) from the student's school prior to the JCP taking office.
6. The JCP will attend Borough Council meetings and committee meetings, and will have a seat at the council table; the JCP will be permitted to offer opinions and ask questions during meetings, and to become involved in committees and activities, but bound by certain restrictions as outlined forthwith:
 - a. The JCP cannot vote on any action before Quakertown Council and cannot attend Executive Session.
 - b. The JCP may be replaced at the discretion of Council, or upon the JCP missing two (2) consecutive Council meetings without notifying the Borough Manager prior and/or not having a valid excuse signed by a parent or guardian.

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

Mr. Fedorowicz was told he could speak at this time. Mr. Fedorowicz read an advertisement which was in the Penny Power mentioning volunteer fire fighters now accepting applications for volunteer fire fighter positions serving Quakertown/Richland Township area and also seeking youths ages 14 and up for fire fighter explorer group in Quakertown. Mr. Fedorowicz asked Council if they knew if the advertisement was pertaining to Quakertown Fire Company #1 running the explorer program. Councilman Zaiser answered that the Quakertown Fire Company #1 does run a junior fire fighter explorer program. Mr. Fedorowicz stated he is for young people being a part of the fire service but feels Quakertown Fire Company #1 is a poor example for young volunteers

in the borough. Mr. Fedorowicz mentioned he has written Council several letters in the past regarding issues with Quakertown Fire Company #1, but did not receive a response.

PLANNING & ZONING COMMITTEE

RESOLVED, That Council grants the request for a curb cut for Lot #2 of the Vargo Subdivision on 334 Tohickon Street (cut will be on Penrose Street). Motion of Councilman Wilsey, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, the following Resolution 21-07 supporting the Quakertown Rail Service Restoration Project be adopted:

RESOLUTION NO. 21-07

WHEREAS, the Quakertown Rail Restoration Alternatives Analysis (QRRAA) has been undertaken by the Bucks County Planning Commission (BCPC), in cooperation with the Montgomery County Planning Commission (MCPC) and the Bucks County TMA (BCTMA), in coordination with the Southeastern Pennsylvania Transportation Authority (SEPTA) and the Regional Improvement Consortium (RIC) and in association with the Delaware Valley Regional Planning Commission (DVRPC); and

WHEREAS, the QRRAA has been conducted in accordance with Federal Transit Administration (FTA) guidelines; and

WHEREAS, the Quakertown Borough Council has participated in the QRRAA project Steering Committee; and

WHEREAS, purpose of the QRRAA is to identify cost-effective, productive and affordable means to use transit capital investments and service improvements to strengthen mobility connections between Upper Bucks and Montgomery Counties and key regional activity centers; and

WHEREAS, these mobility improvements are necessary to support existing travel demand and to support the population, employment and commercial growth occurring in the study area; and

WHEREAS, the study area for the QRRAA is generally defined as a linear corridor from the existing SEPTA R5 Lansdale Station to the Bucks – Lehigh County border; and

WHEREAS, an alternative has emerged in the conduct of the QRRAA involving the restoration of passenger rail service along the Bethlehem Branch rail line.

NOW, THEREFORE, BE IT RESOLVED by Quakertown Borough Council that:

1. The Quakertown Borough Council is supportive of the resolution of passenger rail service along the Bethlehem Branch.

2. The Quakertown Borough Council encourages efforts to advance restoration of passenger rail services along the Bethlehem Branch.
3. The Quakertown Borough Council encourages DVRPC to adopt the restoration of passenger rail service along the Bethlehem Branch into their transportation improvement program.
4. The Quakertown Borough Council encourages the FTA to advance this project into the engineering phase of project development.

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

REVENUE & FINANCE COMMITTEE

RESOLVED, That, the following Resolution 23-07 pertaining to Establishing Appropriate Capitalization Thresholds for Capital Assets be adopted:

RESOLUTION NO. 23-07

WHEREAS, the Council of the Borough of Quakertown wish to be in compliance with all federal, state, and local financial reporting requirements; and

WHEREAS, the Government Accounting Standards Board (GASB) is part of the Financial Accounting Foundation, a not-for-profit organization that establishes accounting rules as an independent organization; and

WHEREAS, the Government Accounting Standards Board (GASB) issued Statement 34, the most significant change in the history of government financial reporting, which requires governments to report capital assets with consideration of depreciation, including infrastructure assets and “historical treasures”; and

WHEREAS, the monetary criterion used to determine whether a given capital asset should be reported on the balance sheet is known as the capitalization threshold.

WHEREAS, The Government Finance Officers Association (GFOA) recommends the following guidelines for local governments in establishing capitalization thresholds:

1. Items should only be capitalized if they have an estimated useful life of at least two years following the date of acquisition;
2. Capitalization thresholds should be applied to individual items rather than to groups of similar items, unless the effect would be to eliminate a significant portion of total capital assets (e.g., books in a library);
3. A capitalization threshold should be established at no less than \$5,000 for any individual item; and
4. When establishing general capitalization thresholds, they may not apply to federal awards due to the federal requirements that prevent

the use of capitalization thresholds in excess of certain specified maximum amounts (i.e., currently \$5,000) for purposes of federal reimbursement.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Quakertown has an official capitalization threshold for capital assets of \$5,000.00.

Motion of Councilman Roberts, seconded by Councilman Rosenberger.

Councilman Roberts pointed out that someday when this is all worked out Council and the public will see the real results when you see it in an accounting form.

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

Councilman Roberts announced that Alfred Blough, the Borough Treasurer, has had some health issues and has not been able to come in and sign checks. Councilman Roberts requested Julie Dechnik be appointed temporary Acting Borough Treasurer.

President Hallman made the appointment of Julie Dechnik as Acting Borough Treasurer on a temporary basis until the status of Mr. Blough is determined.

RESOLVED, That, the appointment made by President Hallman be ratified. Motion of Councilman Roberts, seconded by Councilman Rosenberger.

Councilman Wilsey stated that the appointment should take effect after Mrs. Dechnik's bond is in effect. Borough Manager McElree stated that she would be bonded very soon. President Hallman made the appointment conditional upon Mrs. Dechnik being bonded.

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

PUBLIC UTILITIES COMMITTEE

RESOLVED, That, Council approve the change order request from Carroll Engineering pertaining to the closed loop system project and authorize Borough Manager McElree to execute it. Motion of Councilman Rosenberger, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

PUBLIC WORKS COMMITTEE

Councilman Zaiser indicated that there was not any items for consideration under the Public Works Committee.

Councilman Zaiser announced that Council got an invitation for the Upper Bucks Parenting Center graduation on Monday, June 11, 2007 for those interested in attending.

PARKS & RECREATION COMMITTEE

RESOLVED, That, Council grants the request of the Quakertown Area Lutheran Churches for a public gathering at Memorial Park on Sunday, September 23, 2007 from 2:00 p.m. to approximately 6:00 p.m. Motion of Councilman Williams, seconded by Councilman Rosenberger. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of the Quakertown High School Football Team for use of the Quakertown Midget Football fields on June 18 – 20, 2007 from 8:00 p.m. to 2:00 p.m. for their youth football camp. Motion of Councilman Williams, seconded by Councilman Zaiser. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of the Upper Bucks Alliance for Creative Expression to hold a concert in Memorial Park, including the waiving of the band shell fee on June 30, 2007 from 3:00 p.m. to 6:00 p.m. Motion of Councilman Williams, seconded by Councilman Wilsey.

Councilman Rosenberger questioned the inconsistency of waiving of the band shell fee when last month another organization had to pay the fee. President Hallman mentioned the last discussion on the fees was to allow organizations to get sponsors to reduce their fee cost. Councilman Zaiser stated that this organization along with last months organization whose fee was waived held events benefiting the youth in our area and they are also non profit organizations. Councilman Williams stated that the Alliance for Creative Expression held this event last year which went very well and that he heard a lot of positive comments of Quakertown holding it in our park.

Councilman Rosenberger mentioned he would like Council to address the fee issue again in the near future and create a definitive list of who would not be charged.

Councilman Wilsey recalled that he thought waiving of the band shell fee was left open that it would still be a discretionary decision.

Councilman Roberts mentioned that this question has come up by another municipality to the PSAB, the association in which the Borough belongs. It is the opinion of a non attorney at the association that you cannot waive fees once they are set in place. Councilman Roberts stated that our solicitor has been asked to check into the legality of waiving of fees for one organization and not the other which will then give a definitive answer.

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

RESOLVED, That, Council grants the request of the Upper Bucks Sertoma Club to hold a running road race on June 24, 2007 from 7:00 am to noon. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of the Children's Development Program to use Memorial Park on October 6, 2007 from 12:00 p.m. to 6:00 p.m. Motion of Councilman Williams, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of Quakertown National Bank to hold their annual Founder's Day and the use of barricades to close the road on July 18, 2007 from 6:00 p.m. to 9:30 p.m. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of Trinity Lutheran Church to hold a Peach Festival on August 8, 2007 from 5:00 p.m. to 10:00 p.m. with a rain date of August 9, 2007. Motion of Councilman Williams, seconded by Councilman Wilsey. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of the Quakertown Youth Baseball Association to use the major ball field for a dance to raise funds on June 8, 2007 from 7:00 p.m. to 10:00 p.m. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of Morning Star Fellowship Church to hold two Skate to Rock events at the skate park on July 14, 2007 and August 4, 2007 from 11:00 a.m. to 2:00 p.m. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of Morning Star Fellowship Church for use of Memorial Park and the band shell on August 12, 2007 from 5:00 p.m. to 8:00 p.m. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

RESOLVED, That, Council grants the request of Faith Covenant Church for use of Memorial Park and the band shell on June 24, 2007 and August 19, 2007 from 12:00 p.m. to 5:00 p.m. Motion of Councilman Williams, seconded by Councilman Roberts. A roll call vote was taken and the motion was unanimously carried.

Councilman Rosenberger questioned if some of these dates fall on the Concert in the Park Series. Borough Manager McElree said he would check on them and notify the organizations if there was a conflict.

President Hallman mentioned that he spoke with Leslie Keiser who was injured making a repair at the intersection of Hellertown Avenue & Broad Street. Mr. Keiser is recovering at home and President Hallman asked to keep him in your thoughts and prayers for a speedy recovery.

Borough Manager McElree introduced Katelyn Klinkert who is a potential candidate for the Junior Council Person position. Miss Klinkert will be at the next work session and if chosen for the position will be approved at July's Council meeting.

Borough Manager McElree mentioned he received the final report from Keystone

Municipal Services, Inc. and that he would be handing it out to Council this evening. Mr. Sabatini will be at the June 25, 2007 work session to address Council on the report. President Hallman told the reporters that the report will be released to them approximately in a week.

President Hallman declared the meeting adjourned at 8:35 p.m.

BOROUGH OF QUAKERTOWN

Dennis A. Hallman
President of Council

Attest:

Kris La Cava
Recording Secretary