

January 25, 2016
7:00 p.m.

The regular meeting of Doylestown Borough Council was held on the above date and time in Council Chambers, with the following members present: Vice President Susan Madian and Council Members Don Berk, Tim Brennan, Joe Flood, Joe Frederick, Wendy Margolis, Jack O'Brien, and Noni West. Also present were: Mayor Ron Strouse, Police Chief James C. Donnelly, Borough Manager John Davis, Director of Building & Zoning/Fire Marshal Kelli Scarlett, Water Director Chris Norris, Planning/Public Works Director/Assistant Borough Manager Phil Ehlinger, Borough Engineer Robert Solarz, and Borough Solicitor Jordan Yeager. Finance Director Caroline Brinker was attending the Fanny Chapman Board meeting in the next room.

Vice President Madian announced that President Ansinn had an excused absence, as he was currently driving back from Iowa because his plane landed there instead of Philadelphia. She said this was only the third meeting he has missed in 10 years.

PLEDGE OF ALLEGIANCE - Mayor Strouse

SPECIAL PRESENTATIONS:

1. Proclamation. Mayor Strouse stated he intended to have a proclamation honoring the Central Bucks EMS and the fact that February is National Heart Month, but given the blizzard this past weekend and everyone's experiences continuing through today, that was being put off. He said, however, it would be appropriate to honor the Central Bucks EMS, Doylestown Fire Company, Central Bucks Regional Police Department, and our own Public Works Department for all their outstanding work in this very, very difficult period.

Ms. Madian thanked the Public Works Department for its incredible hard work and the obscene hours they've been working to try to make this town passable for everyone. She asked Mr. Ehlinger to please let everyone know how much Council appreciates them.

APPROVAL OF MINUTES - Mr. Ansinn

In Mr. Ansinn's absence, Ms. Madian called for:

1. Motion to approve the December 21, 2015 Council Meeting Minutes. (Berk-Margolis) Vote was called and the minutes were unanimously approved.

2. Motion to approve Council's January 4, 2016 Reorganization Meeting Minutes. (Flood-West) Vote was called and the minutes were unanimously approved.

MAYOR'S REPORT: No report.

PUBLIC SAFETY - Mr. O'Brien

Mr. O'Brien stated the only thing he had was the **Fire Marshal's Activity Report**, for which he called upon Ms. Scarlett. Ms. Scarlett reported that for the month of December, there were 16 fire company dispatches in the Borough, and the year end total was 255 dispatches. Both the Fire Marshal and Doylestown Fire Company reports were provided.

Ms. Scarlett pointed out that included in everyone's packet was report by the NFPA, the organization that gathers fire data, which gives an idea of what fire losses were in other similar-sized communities. She said the Borough is well below that, as it has been for many years, and she felt that speaks to a lot of things, including our Fire Department and our code enforcement.

PUBLIC WORKS AND ADMINISTRATION - Mr. Frederick

Mr. Frederick stated he had no report, but wanted to say that regarding snow removal, the Public Works Department has worked tremendously hard to get the streets cleaned and they're still out there doing it now and will continue doing it tomorrow. He also noted there were no power outages and he thought that went to John Davis for all the work that he and his Staff did working with PECO to get it straight, and the thanked Mr. Davis for that. Mr. Davis commented that PECO did a lot of hard work as well, and it all seems to have paid off.

Mr. Frederick then called on Mr. Ehlinger for the Public Works Monthly Report. Mr. Ehlinger reported that the monthly D-Works Report was provided which shows a slow December, finishing up the leaf collection season. He said they are now heavily involved in hauling out the bulky snow. A crew was currently closing down Main Street from Court Street to Oakland Avenue. He said our Public Works Department crew will be back in full force at 11 p.m. tonight and they'll work 20 hours straight. Mr. Ehlinger noted they had a set back with some equipment that did not function as it was supposed to and that was being worked on. He said they hoped to have the center of town cleaned out by the end of the week and secondary streets would come later.

Ms. Madian commented that this was the fourth largest snow fall in the history of Pennsylvania, so the fact that we even have passable streets at all today is pretty impressive. When asked, Mr. Ehlinger stated, accounting for drifting, the consensus was that there was probably 24" of snow. Ms. Margolis stated she works in Newtown, where she believes they received less snow, but their roads are appalling compared to ours.

Mr. Davis reported that are issues with County parking facility. He said for years, we have encouraged use of that facility in inclement weather to clear the streets for the Public Works Department and the community has responded more and more each year. While checking during storm events, he said there always seemed to be sufficient parking left. Mr. Davis stated that in this storm, the County estimated, and he agreed, that well in excess of 80% of the parking spaces were taken up as of today, despite the fact the County was not open for business. He said the County made a decision on that basis to put out the word that they were going to have to enforce what has been posted for some time, which is overnight parkers and non-County employees or patrons need to get out of there in the morning in order to clear space for County employees. He said they indicated last year when they first posted the signs that they would give the Borough notice so that we could help promote that to our residents and let them know it was going to happen. Mr. Davis said the County did just that – they posted at the garage that everybody had to be out by 5 a.m. the next morning when the County reopened. The Borough reinforced that information in our social media and D-Mail. He said a lot of people were upset by that because they were looking for other options and, of course, unfortunately, it has not coincided directly with us getting to the side streets. He said the Borough has stopped parking enforcement to allow metered and other spaces to be available for residents. Some residents dug out their own spaces and the Borough is certainly encouraging that. Mr. Davis said we'll work with the County tomorrow as they're very concerned as to what will happen, and they are the ones who will have to deal with

the fact that if the garage is full in the morning when their entire workforce arrives, it is going to be a problem. Mr. Davis said he believed people will get up and go to work tomorrow and vacate the garage, the County employees will have room to park, and then Borough residents can get back in in the evening.

Mr. Davis restated that the County has been very generous with the facility over the years and this is the first time, including the old garage, where they ever felt it necessary to enforce this. He said this is a step not taken lightly and he felt they had good reason to do so. He said if most people complied and there were a few stragglers, he didn't feel the County would start towing vehicles tomorrow. He didn't think the County wanted to tow and would only do so as an absolute last resort. Mr. Davis said the Public Works Department is working from the town center and working their way out every night so that each day, there will be more parking spaces available.

Ms. Margolis asked if night parking in the facility is only for snow emergencies or is it any time. Mr. Davis replied that the County has posted for some time signs indicating that anyone parked in there overnight needs to be out by 6 a.m. He said the County hasn't enforced that and would only enforce it if there was a problem. He thought some people leave their cars in there for a number of days, including the Police Department - with the County's blessings. Mr. Davis said he felt the County is going to continue to work with us and we can make it work.

Ms. Madian commented that we are really lucky that we have access to it at all. Mr. Davis agreed and said we do walk a very fine line. He thought this may be a lesson that it may not always be available and try to come up with a backup plan of some sort.

There was further discussion regarding snow removal, residents capable of digging out their own spaces, towing, and water runoff if we received heavy rains.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Ms. West:

Ms. West stated the Committee met and started taking a look at some of the projects with a year long view. She said one item is the people or groups we want to honor based upon national days or months. A list of the national days, weeks, and months will be sent to everyone so we can make sure we don't miss anything that is felt important for the community.

Ms. West then reported they began what will be a long conversation about sidewalks. She said at the next meeting, Mr. Davis and Ms. Scarlett will be presenting some research they've been doing on that.

Lastly, Ms. West reported that the Philadelphia Museum of Art's "Inside Out" Public Art Program is coming to Doylestown in April through June of 2016. She said last year the Museum reproduced 60 pieces of what they consider master pieces and distributed those among six communities. She said they set up the artwork displays. Ms. West said in return, they would like the community to hold an event, which the DBCA is looking at to do, to bring people in for the beginning and launch of the event. She said 13 sites have been chosen. Mr. Davis added that it is our job to get the approvals from private property owners and our own sites. He said that probably by the first week of February, we'll actually know what the various pieces are for each site. He said they are working closely with the Mercer and the Michener in selecting the pieces for their particular locations. Mr. Davis said a good relationship between those three entities has been established.

ZONING AND PLANNING - Mr. Brennan

1. **Authorization to Advertise Ordinance Amendment Correcting Typographical Error in Chapter 27, Attachment 5, Table of Use Regulations.** Mr. Brennan stated that Ordinance 2015-12 adopted last year was found to contain a typographical error that may cause confusion, and as a result, the Borough needs to amend the ordinance to correct that error and provide clarity. A revision of the ordinance was prepared. Mr. Brennan said that Borough Staff and the Solicitor are recommending that Council vote to advertise the attached ordinance revision for adoption, and that if Council wishes to follow that recommendation, it can do so by motion. (Brennan-Margolis) With no comments from Council, Staff, or the public, Ms. Madian called the vote. All were in favor and the motion passed.

2. **Consideration of Ordinance No. 2016-1, Altering Requirements for Plumbing Licensing.** Mr. Brennan stated that our existing system for licensing plumbers was created before there was a national test and a statewide plumbing code in place. He said the Borough is currently required to maintain two accurate and up-to-date tests that are both valid and reliable, and the amount of work and expense of maintaining these tests is out of proportion with the current demand for new licenses – typically less than one applicant a year. Mr. Brennan said that as a result, a revision of the existing ordinance was prepared to eliminate the local tests, which will be replaced with the nationally recognized test for both Journeyman and Master Plumbers, as well as eliminating the Plumber’s Examination Board that was created to administer and maintain the local tests. Mr. Brennan stated that Ordinance No. 2016-1 was properly advertised and said that the Zoning and Planning Committee is recommending that Council adopt the ordinance which deletes the requirement for a Board of Examiners. He said if Council wished to follow the recommendation, it could do so by motion. (Brennan-Flood)

Mr. O’Brien asked if this has any effect on current licensing. The answer was no.

With no further comments from Council, Staff, or the public, Ms. Madian called the vote. All were in favor and the motion passed.

3. Mr. Brennan next reported that the **Historic and Architectural Review Board** met on December 17, 2015, and is recommending for approval and issuance of a Certificate of Appropriateness the following projects as presented: **Building and Renovation Applications:** 125 Mary Street, Betty Kreighoff, property owner, regarding renovations of a porch at her home; 155 E. Oakland Avenue, Donald and Lauren Morel, property owners, regarding new residential construction; and, 96 West State Street, 96 West State Street LLC (Tom Frank), property owner, regarding window replacement at the Knight House, recommendation conditional on the applicant painting the existing window trim black and replacement of the existing front door to match the new wood Nanno doors with height and header to be as close as structurally possible to existing conditions. Mr. Brennan said that if Council wished to issue Certificates of Appropriateness for these projects, it may do so by motion. (Brennan-Margolis) No applicants were present. With no comments from Council, Staff, or the public, Ms. Madian called the vote. All were in favor and the motion passed.

4. Mr. Brennan called on Ms. Scarlett for the **Code Enforcement Month Activity Report** for December. Ms. Scarlett reported that there were 81 total permits and a total cost of permit fees of \$12,385.50.

ENVIRONMENT AND RECREATION - Ms. Margolis

Ms. Margolis reported they met and had a very productive meeting. She said one thing discussed was the "Mayor's Monarch Pledge," which our Mayor agreed to pledge with the National Wildlife Federation. She said that it's basically a pledge to do five activities to encourage plantings for monarchs to increase their numbers. Ms. Margolis said the Mayor will prepare a proclamation for April to raise awareness about the decline of the monarch butterfly and the species' need for habitat, launch a public communication effort to encourage citizens to plant monarch gardens at the homes or in the neighbors, communicate with community garden groups and urge them to plant native milkweed and nectar producing plants, and convene with the Park and Public Works Department Staff and identify opportunities for revised mowing programs and milkweed planting programs.

Ms. Margolis also reported that Ms. Scarlett completed the Bowman's Hill Land Ethics Award application. She said it was an excellent application and thought we have a good chance of getting that

Lastly, Ms. Margolis said the big item is the Broad Street Park. She said they rebooted the Steering Committee and they had an incredibly productive meeting with new representatives from Gilmore and Associates, along with Mr. Solarz, whose input was helpful. Ms. Margolis noted the public meeting has been scheduled for February 1, at 7 p.m., at Heritage Conservancy, the Aldie Mansion. She said they have a big interactive agenda for the meeting and she encouraged all members of Council to attend.

WATER UTILITY - Mr. Berk

Mr. Berk stated the Committee did meet. He reported that last month, there were no water main breaks, 10 water meter repairs, there was nothing new to report on the Johnson Controls energy project, and the fourth quarter wheeling invoice was sent to the Township for them to pay us \$15,558. He said Mr. Norris gave a really thorough insight into the state of our water in the Borough.

Mr. Norris gave a review for 2015: regarding the distribution system, there were a total of 33 system repairs, 202 meter repairs, a handful of DEP mandated corrections which were taken care off, the Johnson Controls updates are pretty well finished except for some cleanup, and the Township wheeling agreement brought in \$66,379 last year.

Mr. Davis added that he thought we were now done with every streetlight and agreed that the Johnson Controls project was winding down.

FINANCE/PENSION - Ms. Madian

1. Ms. Madian stated the Committee did not meet and she then asked for the **Treasurer's Report**. In Ms. Brinker's absence, Mr. Davis stated everyone had been provided with a listing of the prepaid bills and bills to be paid tonight after approval. The total for all funds was \$684,291.55. Motion to approve the Treasurer's report. (O'Brien-West) With no comments, the vote was called. All were in favor and the motion passed unanimously.

PERSONNEL - Mr. Ansinn:

In Mr. Ansinn's absence, Ms. Madian stated there was no report.

PROFESSIONALS' REPORTS

Zoning Hearing Board Report - Ms. Scarlett reported that the Zoning Hearing Board's January decisions granting the requested relief included: Brian and Erin Guerriero, 18 Church Street, who requested a variance to exceed the maximum floor area ratio requirements and an interpretation of Section 612-3.f that the property is exempt from the solar access height provisions of 612, or in the alternative, a variance from the 24-foot maximum height requirement. The applicants propose to raze the structure and reconstruct it on its existing footprint consisting of three floors; Christopher and Helen Round, 255 West Court Street, who requested a variance to permit more than the maximum floor area ratio to construct an addition to their house; and, Carlos Alvarez and Christine Skotzko, 239 Decatur Street, who requested variances to permit an addition to the exiting dwelling as well as the construction of a carport.

Ms. Scarlett also report that the Zoning Hearing Board will hold a public meeting, on February 4, 2016, at 7:30 p.m., in Borough Hall, to hear the following applications: East Hill Properties, LLC, 12A Easthill Drive, which requests variances to permit additions to the existing house; Thomas and Patricia Pharr, 356 Doyle Street, who request variances to permit a two-story addition to the existing house. Ms. Scarlett noted this meeting date is an odd because they had to schedule an additional Zoning Hearing night to hear all of the applications that have been received.

Engineer's Report - Mr. Solarz: No report.

Solicitor's Report - Mr. Yeager reported that he and Mr. Ehlinger have gone back and forth with representatives of Heritage on the lease. He noted this is moving forward.

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Donnelly reported there were 852 incidents last month for a yearly total of 13,333. For both municipalities, he said the year end total was \$18,933. The Chief stated they budgeted \$3,661,352 and they spent \$3,565,566.12, which is 97.38% of the budget, so they came in under budget, which means it was a good year.

Chief Donnelly further commented that on February 16 at the Delaware Valley University Life Science Building, the second town hall meeting is being held for the Central Bucks Regional Police Department. He said they will be discussing body worn cameras and where they are in that process. He encouraged everyone to come.

PRESIDENT'S REPORT - Mr. Ansinn:

In Mr. Ansinn's absence, Ms. Madian stated there was no report.

OLD BUSINESS: None.

NEW BUSINESS:

Ms. Margolis stated that the Doylestown Historical Society will be holding a 70th anniversary event for Maplewood, at the Maplewood pavilion, on June 18 at 2 p.m., and they are trying to collect memorabilia and all kinds of things to commemorate Maplewood. She thought it was going to be a lot of fun and further details will be provided.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:48 p.m., Ms. Madian called for a motion to adjourn. (Flood-West) Vote was called and the motion passed.

Respectfully submitted,

John H. Davis
Borough Manager

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