

February 23, 2015  
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: President Det Ansinn, Vice President Susan Madian, and Council Members Don Berk, Joan Doyle, Joe Frederick, Joe Flood, Wendy Margolis, Jack O'Brien, and Noni West. Also present were: Mayor Ron Strouse, Junior Councilperson Patrick Dineen, Police Chief James C. Donnelly, Borough Manager John Davis, Borough Solicitor Jordan Yeager, Borough Engineer Karyn Hyland, Director of Building & Zoning/Fire Marshal Kelli Scarlett, Water Director Chris Norris, and Planning/Public Works Director/Assistant Borough Manager Phil Ehlinger. Finance Director Caroline Brinker was absent.

#### **PLEDGE OF ALLEGIANCE - Mayor Strouse**

President Ansinn requested that everyone remain standing for a moment of silence.

#### **SPECIAL PRESENTATIONS - Mayor Strouse**

**Proclamation Recognizing Jack Lafferty.** Mayor Strouse read the Proclamation which noted that Mr. Lafferty has "provided, and continues to provide, athletes with the opportunity to build self-esteem and confidence in athletics and in life." The Proclamation went to on thank Mr. Lafferty for his "more than 30 years of commitment to youth, community, and making Doylestown an extraordinary place to live." Mr. Lafferty was thanked for his dedication, service, and success within our community. [Standing ovation.]

#### **APPROVAL OF MINUTES - Mr. Ansinn**

Motion to approve the January 26, 2015 Council Meeting Minutes. (Berk-West) Ms. Madian commented that Mr. Laustsen was not in attendance at the January meeting and asked that correction be made. Motion to approve the January 26, 2015 Minutes as corrected. (Berk-West) Vote was called and the minutes were unanimously approved.

**MAYOR'S REPORT:** No report.

#### **PUBLIC SAFETY - Mr. O'Brien**

Mr. O'Brien said the Committee did not meet, but he did have the **Fire Marshal's Activity Report**, for which he called upon Ms. Scarlett. Ms. Scarlett reported that for the month of January, there were 24 fire company dispatches in the Borough, and said that the **Doylestown Fire Company Report** was provided. Ms. Scarlett then suggested that with spring approaching and thought being given to the outdoors, that residents should: make sure their address numbers are up and visible from the street, check their outdoor electrical outlets and other electrical appliances, and clean their grills and check the propane tanks and lines for leaks or damage.

**PUBLIC WORKS AND ADMINISTRATION - Mr. Frederick:** No meeting. No report.

## **COMMUNITY AND GOVERNMENTAL AFFAIRS - Ms. West**

Mr. Flood gave an update from a meeting of the Central Bucks Regional Task Force on Aging which he attends on behalf of the Borough. He said the February meeting featured an interview with Najja Orr, Director of the County Area Agency on Aging. Mr. Flood said that during the interview, Mr. Orr outlined the services the agency provides to seniors, two examples of which are 1) the agency can arrange for seniors to receive assistance with preparing their tax returns, and 2) it can confidentially assist those who have concerns for the welfare of an elderly neighbor or friend.

Mr. Flood said the Task Force televises the meetings and anyone interested in viewing them can access the recorded programs via a link on the Doylestown Borough website. He noted that the Borough website also provides a link to the Bucks County Area on Aging. Mr. Flood stated that the Task Force meets the first Monday of every month at 1 p.m., at the Bucks County Senior Center in Doylestown Township.

Ms. West then continued with the next agenda item:

**1. Farmers' Market License Agreement, Buckingham Civic Association.** Ms. West stated that the agreement remains unchanged from previous years, wherein it provides for the Saturday morning Farmers' Market on Hamilton Street sponsored by the Buckingham Civic Association. She said that the Committee reviewed the agreement and is recommending that Council approve same. Ms. West said that if Council wished to follow the recommendation, it could do so by motion. (West-Margolis)

Ms. Margolis noted that she and Ms. West are planning on having a table at the Farmers' Market three times this year, and all Council Members are invited to help out.

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

**2. Consideration of Ordinance No. 2015-4, Responsible Contractor Ordinance.** Ms. West stated that this ordinance establishes responsible contractor provisions for bidding on certain Borough contracts. She said it incorporates review comments from a number of local Borough Contractors. Ms. West said the Committee is recommending that Council adopt Ordinance No. 2015-4, and if Council wished to follow that recommendation, it could do so by motion. (West-Madian) With no comments from Council or the public, the vote was called. All were in favor and the motion passed unanimously.

**3. Social Media Policy.** Ms. West stated this is a proposed amendment to the Borough's Personnel Rules and Regulations, creating for the first time a social media policy. She said that policy was prepared by the Borough Solicitor and is being recommended by Borough Staff and the Community and Government Affairs Committee. Ms. West said that if Council wished to follow the recommendations and adopt the policy, it could do so by motion. (West-Madian)

Mr. O'Brien asked if this applied only to the employee and not Council Members. Mr. Davis responded that was correct.

Mr. Ansinn commented that there is presently no policy in place and this gives us one. He thanked John Davis and the team for doing such a good job in keeping the community informed on all kinds of events.

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

## ZONING AND PLANNING - Ms. Doyle

1. **Adoption of Ordinance No. 2015-3, Revising the Subdivision and Land Development Ordinance to Require Native Plantings.** Ms. Doyle stated this ordinance revised our Subdivision and Land Development Ordinance to require native plantings. She said the Planning Commission and Zoning and Planning Committee are recommending that Council adopt the ordinance, and if Council wished to follow the recommendations, it can do so by motion. (Doyle-Margolis)

Ms. Doyle said the Shade Tree Commission had a hand in putting together this list, as did Ms. Scarlett and Ms. Margolis. She commented that a lot of time and effort went into this and she thanked everyone for that.

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

2. **Authorization to Advertise Floodplain Ordinance Update.** Ms. Doyle stated that FEMA has updated its floodplain maps, FIRM, and as a result, we must amend our existing floodplain management regulations or adopt new regulations before the effective date of the FIRM on March 16, 2015. She said that the language that FEMA wants to see in the ordinance update is complex and specific, and as a result, this ordinance update was prepared. Ms. Doyle said the Zoning and Planning Committee is recommending that Council advertise the ordinance, and if Council wished to follow the recommendation, it could do so by motion. (Doyle-Madian)

Ms. Doyle explained that what this mapping does is takes some properties that are in there now out and puts some in that aren't there now. She asked if there is a link on our website to access this because it is very important for residents to be able to do this because it does affect insurance rates. Mr. Davis said he will follow up on that and make sure we have the information on our website.

Mr. Davis commented that Ms. Hyland and Ms. Scarlett have been working with a number of property owners helping them get out if they shouldn't be in there.

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

3. Ms. Doyle next reported that the **Historic and Architectural Review Board** met on January 22, 2015, and is recommending for approval and issuance of Certificates of Appropriateness the following **Building Applications**: 307 Belmont Avenue, Chris and Sharyl Volpe, regarding replacing windows at their property, 127 East State Street, Ernst Brothers, regarding renovations at their property, conditional on the addition of a side entrance canopy and door as drawn, front entrance doors as drawn, a front façade with a smooth acrylic "stacked stone" look to match the capstone, and all windows being as presented, and, 75 Mary Street, Andrew and Kimberly Beck, regarding an addition and renovations at their property. She said that if Council wished to follow the recommendations, it could do so by motion. (Doyle-Madian)

Mr. Ansinn noted that applicant Ms. Volpe was present.

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

4. Ms. Doyle next read the **Code Enforcement Month Activity Report** for January, showing 132 total permits and a total cost of permit fees of \$39,037.

## **ENVIRONMENT AND RECREATION - Mr. Berk:**

Mr. Berk commented they did not meet and therefore he had no report, but he wanted to let everyone know they were beginning to plan for the **Seventh Annual Ride of Silence** and more information would be forthcoming.

**WATER UTILITY - Ms. Margolis:** No meeting. No report.

## **FINANCE/PENSION - Ms. Madian**

1. **Consideration of Resolution No. 2015-2, Designating the Borough Manager as the Chief Administrative Officer for the Borough's Municipal Pension Plan.** Ms. Madian said this is a housekeeping item requested by the pension plan investment consultants, Uninvest Municipal Pension Services. She said the Committee is recommending that Council adopt Resolution No. 2015-2 and if Council is in agreement with that recommendation, it could do so by motion. (Madian O'Brien) With no comments from Council or the public, the vote was called. All were in favor and the motion passed.

2. **Building and Zoning Permitting Software.** Ms. Madian stated that in 2012, Borough Council budgeted \$85,000 for the upgrade of the Borough's budgeting, finance, water utility, and permitting software. She said subsequent to the successful installation of the other software packages, Borough Staff was informed by the provider that they were unable to move forward with their permitting software product and would instead be refunding us approximately \$22,000. The development left us in the market for permitting software.

Ms. Madian said that as a result of our renewed search, Borough Staff is recommending the purchase of MuniLogic Municipal Management software at a cost of \$49,750. She said MuniLogic's package is compatible with our other software packages and is being successfully used by a number of local municipalities. Ms. Madian said that unfortunately, the passage of time and the uncoupling of the permitting software from the other packages means that the purchase will result in an addition of \$27,750 to the 2015 Capital Budget, about \$6,000 of which has already been offset by the lower than anticipated cost of two new leaf collection machines. She said additional offsets are not guaranteed. Ms. Madian stated that the Finance and Pension Committee is recommending the purchase of the MuniLogic Municipal Management software at a price of \$49,750, and if Council wished to follow the recommendation, it can do so by motion. (Madian-O'Brien)

Ms. Doyle asked which line item this was coming from. Mr. Davis responded it was coming from the Reserve Fund. Ms. Doyle then requested clarification as to the net increase. Mr. Davis replied that it will be a maximum of \$21,000, approximately.

Mr. Shandlay asked about the increase in cost over the original package. Mr. Davis said we definitely lost out. He said they tried to get one package encompassing all three, but their zoning software just didn't work.

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

3. **Authorization to Advertise Ordinance Authorizing the Incurrence of Non-Electoral Debt.** Ms. Madian noted that this ordinance, authorizing the incurrence of non-electoral debt pursuant to the issuance of General Obligation Notes, 2015 Series, in the aggregate principal

amount of \$1,600,000, had been provided. She reported that the debt is intended to fund an energy savings performance contract. The project in the amount of \$1,591,845, is projected to save the Borough \$2,715,382 over 20 years. Ms. Madian said that all cost savings are guaranteed by the Borough's contract with Johnson Controls, Inc. and the total project will pay for itself in less than 16 years. She said the elements of the project are as follows:

- ▶ Borough-wide LED street lighting upgrade;
- ▶ Borough-wide LED ornamental lighting upgrade;
- ▶ Interior lighting and occupancy sensor upgrade;
- ▶ Solar PV Array on Public Works garage (near net 0 energy user)
- ▶ Public Works fuel storage/pumping station and key pass accountability system;
- ▶ Water distribution "SCADA" system for control, reporting, data storage and communication;
- ▶ Energy saving VFD retrofit on water distribution pumps;
- ▶ Low maintenance chlorine analyzers;
- ▶ Right sizing/right typing of two inch and larger water meters;
- ▶ Parking meter rate study.

Ms. Madian stated that Finance and Pension Committee is recommending that Council authorize the advertisement of the ordinance, and if Council wished to follow the recommendation, it could do so by motion. (Madian-Berk) Mr. Ansinn noted that a representative from Johnson Controls was present. With no further comments from Council or the public, the vote was called. All were in favor and the motion passed.

#### **TREASURER'S REPORT - Ms. Brinker**

In Ms. Brinker absence, Mr. Davis noted that the following bills were to be paid after tonight's meeting: from the General Fund \$410,615.44, the Water Fund \$79,089.41, the Fanny Chapman Pool Fund \$40,662.65, and the Reserve Fund \$31,392.65. Mr. Ansinn called for a motion to approve the Treasurer's Report. (Madian-Margolis) With no comments from Council or the public, the vote was called. All were in favor and the motion passed unanimously.

#### **PERSONNEL - Mr. Ansinn**

1. **Appointments to Various Borough Boards.** Mr. Ansinn reported that the Committee met on February 12, 2015, to interview candidates to fill vacancies on various Borough boards. He said that as a result of the interviews, the Committee is recommending the following appointments: George Mullikin to the Environmental Advisory Council, for a term expiring December 31, 2015, and Barbara Healy to the Revitalization Board, for a term expiring December 31, 2017. Mr. Ansinn said that if Council wished to follow the recommendations, it could do so by motion. (Ansinn-Madian) Mr. Ansinn noted that we once again were very fortunate with the people who come out. With no further comments from Council or the public, the vote was called. All were in favor and the motion passed.

2. **Reappointment to the Revitalization Board.** Mr. Ansinn reported that the Personnel Committee met on February 12, 2015, to interview candidates to fill vacancies on various Borough boards, and at that meeting, the Committee also discussed the belated request of Nancy McHale

to be reappointed to the Revitalization Board for another three-year term. He said the Personnel Committee is recommending the reappointment of Ms. McHale to the Revitalization Board for a term expiring December 31, 2017. Mr. Ansinn said that if Council wished to follow the recommendation of the committee, it could do so by motion. (Ansinn-O'Brien) With no comments from Council or the public, the vote was called. All were in favor and the motion passed unanimously.

## **PROFESSIONALS' REPORTS**

**Zoning Hearing Board Report** - Ms. Scarlett reported that the Doylestown Borough Zoning Hearing Board held a public hearing at 7:30 p.m. on January 21, 2015, hearing the following matters: Elizabeth K. Bierlin, 130 East Court Street, who requested variances from Section 502 to permit less than the required 15-foot setback for the elevator tower and fireplace, and more than the permitted lot coverage and permitted floor area ratios, from Section 516 to permit Bilco doors and stairway to the basement to be set less than the required 15-foot side yard setback. She said the requested relief was granted; Kenneth Cloonan, who proposes to convert the existing barn at 124 Mary Street to a twin dwelling, requested the following relief: variances from Sections 502 and 504 to permit a twin dwelling on a lot that is approximately 6,134 square feet versus the 10,000 square foot requirement, and relief from the conditions of the 2006 and 2013 Zoning Hearing Board Decisions which required the use of specified materials. She said this requested relief was also granted.

Ms. Scarlett then reported that the Doylestown Borough Zoning Hearing Board held a public hearing at 7:30 p.m. on February 18, 2015, hearing the following matter: Chapman Lane Investors, L.P., which requested relief the following variances: from Section 502 to permit less than the required front yard setback, Section 514.1 to permit a zero side yard setback between property lines and parking areas, Section 614.1.C to permit a solid screen wall in the front yard extending six feet in height to enclose the loading dock/trash enclosure, Section 707.9 to permit a free-standing monument sign closer than one-half of the front yard setback, Section 803.1 to permit a zero foot buffer strip between property lines, and a special exception pursuant to Section 802.7.B to permit the use of land within 300 feet of the lot on which the principal use is located as a parking area for the principal use. Ms. Scarlett noted that the requested relief was granted

**Public Works Report** - Mr. Ehlinger stated that the monthly report was provided, as well as the Fleet Services report. He then presented a brief video of recent snow fighting efforts and commented that the Public Works Department has gone through 253 tons of salt and over \$25,000 in overtime so far this winter.

**Engineer's Report** - Ms. Hyland: No report.

**Solicitor's Report** - Mr. Yeager: Other than the agenda items, no report.

**Central Bucks Regional Police Department Activities Report** - Chief Donnelly reminded everyone that on February 25, 2015, they having a town hall meeting at Delaware Valley College in the new auditorium in the Life Science Building. He said they will be going over productivity, the new facility, crime statistics, budget, and what they are looking forward to next year. He asked everyone to come out.

The Chief stated that the Police Activity Report was provided.

**PRESIDENT'S REPORT - Mr. Ansinn:** No report.

## **OLD BUSINESS:**

Ms. Doyle commented that "Bucks Locavore" is being held this Thursday from 5-8 p.m. at Superior Woodcraft and the public is invited. She said it is a very nice event and there is plenty of parking at the County garage.

Ms. Doyle then gave a brief update on the Superfund Site. She said the Community Advisory Group, CAG, of which she is a member, is still meeting and that they were excited to learn that the EPA will be soon undertaking a pilot project featuring new technology to begin the groundwater cleanup.

**NEW BUSINESS:** None.

## **OPEN PUBLIC COMMENT:**

Mr. Shandlay asked for a Pool's Corner update. Mr. Davis said tree clearance and utility work is underway and that general construction should begin in March.

Doylestown Business & Community Alliance (DBCA) President Michael Kendrick reported that there will be a Read Across America on April 7, 2015, between Doylestown Book Store and Booktenders, where seniors will be reading to children. He said the "Cat in the Hat" will also be visiting various businesses throughout the day.

Mr. Kendrick also reported that within the next three weeks, DBCA will be looking for volunteers to work on the flower baskets. He said the first step is putting dirt and moss into the baskets, the second step is actually planting the seedlings, and the third step is hanging the baskets. Volunteers are needed for each step.

Lastly, Mr. Kendrick reported that DBCA will be holding "Taste of Doylestown" on April 16<sup>th</sup>, at the Doylestown Fire Company, which event is a fundraiser for both DBCA and the fire department. He said 20 plus restaurants will be represented.

## **EXECUTIVE SESSION**

1. Real Estate. The Council Meeting broke at 7:42 p.m. for the Executive Session. Upon their return, Mr. Ansinn made a motion, seconded by Mr. O'Brien, to approve the Memorandum of Understanding with the Heritage Conservancy for the leasing, improvement, and occupancy of the properties known as the PennDOT Garage and Maintenance Yard. Vote was called and the motion passed.

## **ADJOURNMENT**

At 8:30 p.m., Mr. Ansinn called for a motion to adjourn. (Berk-West) Vote was called and the motion passed.

Respectfully submitted,

John H. Davis  
Borough Manager

JHD:sa