

May 21, 2018
7:00 p.m.

The regular meeting of Doylestown Borough Council commenced in Council Chambers, with the following members present: Vice President Noni West and Council Members Ben Bell, Don Berk, Tim Brennan, Joe Flood, Joe Frederick, Sue Gordon, and Wendy Margolis. Also present were Mayor Ron Strouse, Junior Councilperson Josie Hall, Borough Solicitor Jordan Yeager, Borough Engineer Jim Dougherty, Borough Manager John Davis, Central Bucks Regional Police Department Chief Karl Knott, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, Director of Building & Zoning Karyn Hyland, and Water Director Chris Norris. President Jack O'Brien was absent and Finance Director Caroline Brinker was not present since she was attending the Fanny Chapman Board meeting.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS: None.

APPROVAL OF MINUTES

Ms. West called for a motion to approve the **April 16, 2018 Council Meeting minutes.** (Margolis-Berk) With no comments, the vote was called, and the minutes were unanimously approved.

MAYOR'S REPORT

Mayor Strouse highlighted the tremendous amount of activity happening in Doylestown Borough. He said in the past month, Bucks Beautiful held their major fundraiser to refill their coffers and launch a new initiative to plant 100,000 native trees in Bucks County - around 10,000 year; members of Council and he attended the Southeast Regional Meeting of the Pennsylvania Municipal League where Council President Jack O'Brien was elected to chair the Southeast District and he to serve on the Legislative Committee; Councilwoman West and he hosted an important community forum on the opioid crisis in cooperation with Delaware Valley University; even though it rained, the Ride of Silence was held on Borough's streets to bring awareness to the need for safety among cyclers and drivers alike; also held in the rain, was the enthusiastic rededication of our Civil War monument, 150 years after the original dedication; our Historic and Architectural Review Board and Members of Council viewed the exterior of properties that have recently been restored or transformed, to the credit of their owners, HARB, and the community; and, a new Community Garden was started, where the plots are now sprouting green. He said there were private donations to help with the garden, but the true effort and success rests with Mr. Ehlinger and his staff of our own Public Works Department, which showed talent and versatility in an outstanding job.

PUBLIC SAFETY - Ms. Gordon

1. **Authorization to Advertise Ordinance Establishing a 10-Ton Maximum Gross Vehicle Weight on Church Street.** Ms. Gordon stated that this ordinance would establish a

maximum gross vehicle weight limit of 10 tons for the full length of Church Street with exceptions including school buses, trash trucks, utility vehicles, firefighting equipment, and local deliveries. She said that the 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. (Gordon-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Resolution No. 2018-8, Application for Traffic Signal Revisions at Swamp Road and East Court Street/North Chubb Drive.** Ms. Gordon stated that this resolution and application call for two changes to the traffic signal at Swamp Road and East Court Street/North Chubb Drive. She said that the first proposed change is to remove the signal from its current coordinated system and place it in free operation. The coordinated system currently holds all calls for a green signal on Court and Chubb until it fits with the timing sequence of the entire Swamp Road corridor. Free operation will allow for a side street green signal as soon as traffic is detected. The intersection has been in free operation as a test for over a month with no negative consequences.

Ms. Gordon said the second proposed change is to add a Lead Pedestrian Interval, LPI, providing three to five seconds of advanced green time for pedestrians before vehicles can proceed. She said the safety measure will reduce turning vehicle/pedestrian accidents by making pedestrians more visible.

Ms. Gordon said the Committee is recommending that Council adopt Resolution No. 2018-8 and approve the application. She said that if Council wished to follow the recommendation, it could do so by motion. (Gordon-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. **Doylestown Fire Co. No. 1 Report**, which indicated that there were six incidents requiring their response.

Ms. Gordon then asked Chief Knott to provide an update on the incident that occurred at Central Bucks West on May 15. Chief Knott reported that on May 15, 2018, around dismissal time, the Central Bucks Regional Police Department was dispatched for a disturbance at Central Bucks West High School. He said the initial officers who responded reported there were some protestors in the area and a school security officer took exception to that protest and approached the group. The Chief said when the school security officer approached the group, he grabbed the bullhorn from one of the protestors and in doing so, he was cut fairly severely on the arm. Chief Knott commented that initial reports that went out over social media indicated that a police officer was stabbed and many assaults took place, which reports were not true. He said the police department is currently working through many videos sent in by students, teachers, and bystanders to piece together exactly what happened. The Chief said this is still under investigation.

PUBLIC WORKS AND ADMINISTRATION - Mr. Frederick

Mr. Frederick noted that the Committee did not meet and then asked Mr. Ehlinger for the Public Works Department monthly report. Mr. Ehlinger stated that the monthly Work Order Report and the Fleet Services Report were provided.

Mr. Ehlinger said the Public Works Department is finally working outside with the weather breaking. He said he was going to provide some pictures of the new garden, but due to the weather, he hasn't been able to take any. He said they are also in full parade preparation mode

this week. Mr. Ehlinger said they will be using every single cone and barricade they have, and will be deploying every single heavy vehicle they have to help secure the route and assist Chief Knott and his emergency management staff on the parade activities this weekend.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Berk

Mr. Berk reported that the Committee did not meet. He then commented that the 10th Annual **Ride of Silence** was held on May 16, where they were hoping for more than 200 riders, but due to the cold and rain, there were 22 riders, which spoke volumes about how important this was to them. He thanked the speakers, Mayor Strouse, Liz Wyckoff, and Andy Hamilton, with a special shout out to our Central Bucks Regional Police Department, who escorted the ride. He also thanked the EMS, who also took the ride with them.

Mr. Berk then commented on the May 15 incident at the school. He said he was proud of our community for stepping up the next day and having a peaceful counter-protest, which let the students know that we really care and love them, and hate groups are not going to stand in our way. He said "brava" to Rise Up Doylestown and the people involved with that.

ZONING AND PLANNING - Mr. Brennan

1. **Consideration of Ordinance No. 2018-5, Regulating the Location of Consumer Firework Sales.** Mr. Brennan said that on October 30, 2017, Pennsylvania passed Act 43 amending the Commonwealth's tax code, which also allows for the sale of consumer fireworks and provides state licensing requirements for permanent and temporary sales facilities. Mr. Brennan said the ordinance provided amends the Table of Use Regulations in the Borough's Zoning Ordinance to include temporary and permanent facilities by special exception in the CI and PI zoning districts and permits temporary facilities in the RC district.

Mr. Brennan said the ordinance had been properly advertised. He noted there was not a quorum present at the Committee meeting, but the members in attendance recommended that this ordinance be adopted. Motion to adopt Ordinance No. 2018-5. (Brennan-Gordon)

Resident Joe Shandlay asked with this ordinance being in place, where would this be allowed. Solicitor Yeager said the permanent facilities are in the CI and PI zoning districts and the temporary facilities are in the RC. Ms. Hyland added that CI and PI are the industrial district in the Broad Street corridor area.

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

2. **Application for Subdivision and Land Development, Doylestown United Methodist Church, 320 Swamp Road.** Mr. Brennan said that Doylestown United Methodist Church is proposing to construct two building additions totaling approximately 10,000 square feet. The additions will serve as a ministry center and storage area to supplement the existing church facility. The project also includes modifications to the storm water management basin.

Mr. Brennan said the Planning Commission is recommending approval of the application conditional on the following: 1) that the applicant resolve all outstanding issues in the review letters of the Borough Engineer, Borough Water Engineer, and Shade Tree Commission to the satisfaction of staff; 2) that the applicant relocate the fire hydrant in the Walnut Lane cul-de-sac as directed by the Fire Marshal and Water Department. If necessary, the applicant shall

provide an easement; and, 3) that the project comply with all applicable regulations including local, state, and federal.

Mr. Brennan stated further that in consideration of the foregoing, the following waivers from the Subdivision and Land Development Ordinance are recommended: 1) §405, to allow concurrent preliminary and final plan applications; and, 2) §§803(c)(2) and 805(c)(2), to waive the requirement of showing existing features within 400 feet of the property.

Mr. Brennan said there was not a quorum present at the Committee meeting, but the members in attendance recommended that Council approve this application in accordance with the Planning Commission's recommendation. (Brennan-Berk)

Solicitor Yeager asked if the applicant was present and whether they agreed to the conditions. They were present and said they did agree to the conditions.

There was discussion regarding water laying on the church's property, how the water does not drain properly, and how the water draws mosquitoes. It was felt that if an opportunity exists to help mitigate the water from pooling, it would be beneficial to the community. General maintenance of the area, such as cleaning up fallen trees and the general accumulated debris obstructing the flow may help. Ms. Hyland noted that any modifications to that area would need to be more sophisticated than just going out and doing it because the stream is right there. She asked the applicant if they were okay with doing maintenance to the property.

Kenneth Kugel, of Doylestown Methodist Church, and their engineer from Carroll Engineering were present. He said they would like to immediately take care of the things in the non-wetland areas that are not regulated. As far as the wetland areas are concerned, Mr. Kugel said he would want to get the local person from DEP to take a look at it because it is wetlands and you need to be very careful. He said they will do what they can do.

Mr. Bell suggested that they may want to consider planting plants that love water to help create a swale effect to help the water penetrate. The applicant said they would definitely consider that.

To clarify, Mr. Davis stated that church is pledging to do what it can in the short term, to do debris cleanup, remove downed trees and any kind of impediments that are there, and then beyond that, to assess why the water is pooling as it is and to work within DEP restrictions for wetlands with the Borough Staff to see if some of the pooling waters can be eliminated. The applicant replied, "yes, well very said." Mr. Yeager said the recommendation would be that this be added to the conditions, that whoever made the motion and whoever seconded it, if this would be a friendly amendment. Mr. Brennan, who made the motion, said yes, it would be a friendly amended and Mr. Berk, who seconded the motion, said it was also friendly. Ms. West then called the vote. All were in favor and the motion passed unanimously.

3. Amendment to Overall Land Development Approval, Bucks County Justice Center Complex. Mr. Brennan reported the Borough recently received a request from the County to be put on an upcoming Council meeting agenda. He said the reason for the request was to consider modifications to a condition of the July 21, 2008 "Overall Land Development Approval – Bucks County Justice Center Complex."

Mr. Brennan stated that Condition #8 with respect to Phase 1 – Parking Garage and Condition #4 with respect to Phase 3 – VIP Parking Lot state:
state,

That the Applicant agrees that at least 50% of the parking spaces to be provided at the parking facility to be constructed as Phase 3 - VIP Parking Lot shall be made available to the public at no charge between the hours of 5:00 o'clock P.M. and 5:00 o'clock A.M., prevailing time, each day Monday through Friday, and all day and night on weekends.

Mr. Brennan said the County has requested that these conditions be revised to read as follows: 1) all spaces, with the exception of a handful reserved for County Vehicles, approximately 135, shall be made available to the general public from 5 P.M. to 2 A.M. each day Monday through Saturday, and all day Sunday; 2) the County may charge a fee capped at \$1 per hour, the current "Borough" three-hour meter rate, from 8 A.M. to 5 P.M. Monday through Saturday, with the understanding that the cap will rise when and if the Borough raises its 3-hour meter rate; 3) the County may charge a fee capped at 50 cents per hour, the current Borough 10-hour meter rate, from 5 P.M. to 2 A.M. Monday through Saturday, with the understanding that the cap will rise when and if the Borough raises its 10-hour meter rate; and, 4) parking will be free all day on Sundays.

Mr. Brennan said there was no quorum present at the Committee meeting. He said if Council wished to approve the amendment, it could do so by motion. (Gordon-Frederick)

Mr. Davis stated that he and Mr. Yeager held discussions with the County in response to their request and crafted this revised condition, which was subsequently approved by the County. He said the County requested this because they would like to be able to charge the public and have some kind of revenue stream to maintain the facility. He said they had the unlimited right to charge under the original approval, during the day, Monday through Saturday, but they did not have the right to do so at other times. Mr. Davis further said the original agreement provided public parking in half the facility - it's a two deck facility so one was going to be made available to the public and only one would be off limits to the public at all times outside the County's working hours. Mr. Davis said the trade-off was twice as many available public parking spaces and control over the rate the County could charge on weekdays, preventing them from setting rates such that the public would be driven to cheaper, on-street meter parking. He said they felt 50 cents per hour was one that would split the difference between providing the County some revenue, while not discouraging anyone who wanted to make use of surface parking and in some cases, protected surface parking, in a good location for that end of town.

In summary, Mr. Davis said the Borough gained 70 spaces, gained some control over the rates the County can charge during the day, and capped the fee County is allowed to charge at other times an extremely modest rate that shouldn't impact the use of the garage. Mr. Davis said they also confirmed that Sunday free parking, which has always been a custom, will remain. He said this makes things cleaner, easier to manage the parking when the transition comes at 5 p.m. because the whole lot is going to be available rather than just half. Trying to limit the public to use one-half and discourage them to use the other was a complicated one and one they thought might ultimately make it more difficult to attract people to use the facility. He said he and Mr. Yeager felt this is a good deal and feel overall it is a better condition than originally approved. Mr. Davis said thinking ahead with the coming expansion of the County Theater with public parking limitations because they have no footprint to provide on-street parking, this will be a very valuable piece of public parking for that, as well as any kind of economic development activity that appears on that

stretch of State Street. He said he thought it fair to say that overall, Staff is recommending that Council approve this amendment and he encouraged them to do.

Solicitor Yeager added that this gives the County the ability to charge, but the County expressed that they do not have an intent to charge in the short-term, just as they have the ability to charge for the main parking garage - they have the ability, but they haven't. He said what the County has learned from the experience is that there is considerable expense to the County in even just cleaning up the trash. He said it was a significant concern for the County to have this expanded facility with at least having the ability to cover some of that cost to maintain. Mr. Davis concurred and also pointed out that these are caps, this does not mandate that the County will charge 50 cents in the off hours or a dollar during the regular times. He said the existing garage has no restriction whatsoever on the County charging and after how many years it has been, they still have not charged. He said there is no guarantee that they will.

Mr. Frederick said he thought it sounded like a good compromise. He felt there are occasionally issues with the County so this would help keep things moving along. He thanked Mr. Davis and the Solicitor.

A question was raised as to whether the County mentioned how they would collect the parking fees. Mr. Davis said it would be an automated system. He said the mechanism is already in place in the existing garage, the County has just never installed the gates.

Mr. Berk asked if the cap wasn't zero dollars. Mr. Davis responded that there's no cap on what they can do at the current garage. Mr. Davis clarified that there are no conditional restrictions on that and his point was despite that, they've chosen not to charge for all these years because there are other factors, including that they also would be charging their constituents. He also reiterated what Mr. Yeager had said, that this is not a guarantee, nor is it written here, that they would have to charge and they've indicated they may not in the short run.

Mr. Brennan asked if they could be charging a higher amount at the Justice Center lot and a lower amount at the VIP lot. Messrs. Davis and Yeager replied, "theoretically." Mr. Davis added it could be vice versa, but there is no limit on the garage now.

Mr. Brennan said one of the things that concerns him is that every time there's a storm, we hope that we can continue to use the Justice Center lot. He said these conditions also relate to this project. Mr. Yeager said what we are talking about now is for the new facility. Mr. Brennan asked if there isn't a way to also have some protection for the main garage since this is the same overall project that we're approving. Mr. Davis replied that in theory, any condition can be amended if both parties agree to it. He said in this particular case, it would be the County that would have to agree to a condition that hasn't been imposed and they have made it very clear that they don't feel they can operate their facility and allow unlimited public parking overnight in that lot during snow storms. Mr. Yeager added that he felt the sentiment has been that the community has benefitted by the County not exercising their right to charge in the larger garage and it wouldn't make sense strategically in that discussion to call that further. Mr. Davis said we have nothing to offer that would offset that.

Mr. Berk commented that what we do have to offer is the change in the conditions in the VIP lot which we bargained for and now they're asking to change the contract so that they can charge Borough residents. He asked if we could perhaps tie that to the main lot.

Mr. Yeager said that this compromise was reached after a series of back and forth discussions between the Borough and the County, and the recommendation to Council is that this

is the deal that they were able to negotiate with the County and that expansion on the number of spots is a significant improvement to offset any change.

Ms. Margolis remarked that the County theater will desperately need all of this parking.

Mr. Berk said he parked there several times and every time, he was one of maybe three or four other cars. He said It is vastly underused.

Mr. Davis said the lot is very difficult to promote in the current circumstance the way it is laid out, and also the signage and treadles make it very uninviting. He said that would be corrected with the new conditions. Mr. Davis said he believed this would make the lot more inviting and more utilized. He said we're going to have a greater ability to promote the usage, not to mention as Ms. Margolis just alluded to, that the development of the County Theater is going to create a much greater demand for parking in that area than exists now, so there's a number of factors that we think we can do to change that dynamic.

Mr. Yeager said there is currently a disincentive for the County to encourage people to use that lot and so the average person in the Borough would drive by and not realize that is a place that they could park. He said part of the hope here is that, in effect, when the County has some skin in the game in seeing it utilized, that would also create an encouragement for it to be used.

Mr. Brennan said one of his concerns is that this was approved in 2008 and they came to us eight years later in 2016 and asked us for two more years. He said the timeline they gave us two years ago in Planning and Zoning was that they would be beginning construction right about at this point and clearly they are not doing it, and clearly they are going to be coming back to ask us for an extension. Mr. Brennan said he thought if we have an opportunity to push a little bit harder on the Judicial Center lot, he would prefer us to get some type of concession in that area instead of putting this into the plan and not having any real protection in that area.

Mr. Davis clarified that they are preparing to begin construction. He wasn't sure where they were in terms of letting bids, but the construction documents have been prepared. Mr. Davis asked Ms. Hyland for an update on this aspect. Ms. Hyland reported that she believed they are prepared to let it.

Mr. Davis said the Borough just doesn't have the leverage within this context. He said we feel we have been able to use what leverage we have and they're not particularly enamored with the condition as it exists to get 70 more very low cost parking spaces introduced into our public mix. He said we have about 700 public parking spaces in the Borough and obviously adding 70 more is a significant percentage, but really there's not enough leverage, even if it was possible, to get the County to agree to some kind of a condition with regard to use of the garage in snow emergencies. Mr. Davis said the County has worked us, he thought in good faith, but the bottom line, as someone who has worked with them on this, is that they have a real issue. He said they need to have spaces for the use of the Judicial Center and when the public is in that garage after a snow storm, you can't get them out of there with dynamite and it has led to several crisis or at least near-crisis situation where people are coming into town to serve on juries, etc. and they potentially have nowhere to park.

Mr. Brennan said asked about preserving the ability to have it for certain periods of time. He said they could still take whatever action afterwards, but now we still bear the risk of them at some point of them turning around and not permitting it at all. Mr. Davis said that is true.

Mr. Frederick said we risk losing the compromise and it could come out a lot worse on our end than what we got with this one. He said he thought this is a good compromise and we don't want a backlash when we do have snow storms, so if you start this and it goes the wrong way on you, then everyone is stuck out in the cold and snow and complaining why is that place not open. Then we have another problem. He said he thought this is a good compromise in that sense – we're working with each other to make the whole thing work. He said that's why he's in favor of it.

Mr. Brennan said in terms of what protections we have, we're giving them a future right forever essentially and we're just hoping that they continue to allow us access during storms and certain hours.

Ms. Gordon said we can't guarantee that our residents will leave and that's causing the County a problem, so we can't say we're definitely going to have all the residents leave by 6 a.m. and then they don't.

Mr. Brennan said we could protect the right to be there and let them take whatever action they are going to if people don't leave. He said he would be in favor of doing that.

Ms. Gordon said the County could said they would rather not have us there at all because it would be less work them. She asked why would they want to deal with towing residents' vehicles out, and then we would also have residents upset about that. Ms. Gordon said we have a parking issue and if we are going to get 70 more spots in the Borough, she thought we should take them.

Ms. Margolis commented that this may take some of the pressure off that parking garage too.

Mr. Bell asked, with regard to provision number two, if the implication is that Borough residents are permitted during the week during business hours. Mr. Davis replied it is not. He said it has not yet been determined how those 140 spaces are going to be utilized, other than the fact that they will have some County vehicles there. He said with their own employees they can obviously do as they like, but if they are going to allow the public to use a portion of that lot, they cannot charge more than the going rate on the public streets.

Mr. Bell asked about the days and times: when they talk about 5 p.m. to 2 a.m., Monday through Saturday, do they mean 2 a.m. Saturday or 2 a.m. Sunday. Mr. Yeager said it is 2 a.m. Sunday. Mr. Bell asked if we're sacrificing the Borough residents' access to the lots on Saturday. Mr. Yeager said it's public, but not free. Mr. Davis added that the difference is that it is not free after 5 p.m., whereas previously it was. Mr. Yeager said previously if you wanted to park on the street during the day on Saturday, you would pay, but not in the lot, so it equalizes that.

Mr. Frederick said this is not something they said they are going to do, it's something that they could do. Mr. Brennan said it's pretty clear at every meeting he's been to that they are going to charge.

Mr. Bell asked when there is a snow event when residents are permitted to use the garage, currently they have to vacate by what time. The response was that it is 6 a.m. He asked at the VIP lot, is it 2 a.m. Mr. Davis said they don't intend to permit overnight in this lot by the public, that's why the 2 a.m. cap is there. He said half of this lot is exposed to the elements - there's only 70 spaces that will be under cover in the event of a snow storm and some of those spaces will be taken by County vehicles, but the 2 a.m. cap means that if someone is parked in

there after 2 a.m. and they are charging, they will more than likely put in some kind of a charge that would discourage people from parking overnight.

Mr. Bell commented that he liked the idea, when talking about charging, of asking the County to put UV stations in there.

Mr. Brennan asked when it is anticipated the County asking us for more time, as they're going to need it. He said he would prefer to deal with these two issues together. Mr. Davis said he wasn't sure. Ms. Hyland said maybe the fall at this point.

Mr. Brennan said he really didn't like the idea of uncoupling these two issues. He asked if there is any downfall for the Borough in waiting to deal with this. Mr. Yeager said it is in the Borough's interest to have the facility, that has always been the understanding, while the County has not always been as positive about the notion of seeing it built, so you have to be careful about holding the extension over their head.

Mr. Berk said their contract, when the Borough approved the whole Justice Center, this was part of it.

Mr. Yeager said just as the Borough feels strongly about making sure it gets built, there is some sentiment within the County of not wanting to build the garage.

Mr. Brennan said if they're permitting it now and if we could have it solidified now, why not hold back on this until we can get all of these things together and ask them to keep it open during the hours that they do during storms, and if there is a problem with residents, then they could take whatever action they're going to take, but give us those hours during a snow event so that we would have some protection. He said he just didn't know why we would separate it, and he asked what the rush is to get this done.

Mr. Davis said they've never been joined. He said we've looked at this solely as a condition as it relates to the VIP lot; there's no natural connection other than they both involve parking.

Mr. Brennan asked if this isn't something that could we could ask. Mr. Frederick commented that would just be opening a can of worms.

Mr. Davis said he knew that it is not deliverable. He said the County is not going to commit to a condition that limits them ability to control that garage. He said nobody deals more with the difficulties and public pressures of snow parking in that garage than himself.

Mr. Flood said that as somebody who helped negotiate our access to that garage, he knew it was on the basis of mutual self-interest. He said that by allowing our residents to park in that garage, it allowed the Borough to clear the streets to get the town open for the Justice Center to get open. He said that was the only basis on which they looked at it and said okay that makes sense. Mr. Flood said that if we start playing around with this, what they're going to say is okay, we'll start charging for that garage right now if you want to play hardball and they can do it. He said the Borough has no leverage over that. He said they're trying to negotiate this from mutual self-interest, what's in the Borough's interest and the County's interest, and he thought the best thing to do is to go ahead with this.

Mr. Davis said our approach to this negotiation is that it was an absolute condition and Council was under no obligation to even consider let alone approve any change and we took that posture for a number of months. He said the County did more than intimate that they didn't want to be building this, that they didn't think it was necessary, and I don't think they ever missed a chance to tell us that the parking calculations were such they didn't really need to do this which is

irrelevant to the discussion which is about providing practical parking to the orphaned existing courthouse. Mr. Davis said that at a certain point, the County became more forthcoming, and he thought Mr. Yeager would agree, that it seemed to break the ice a little bit and we were able to extract what we thought was a king's ransom of 70 parking spaces or about 10% of our inventory, the only problem being that it would be at a modest cost. He said beyond that, we never joined any other Borough/County issues into the discussion, particularly the garage, and again, from dealing with them over here on the garage, they're just not going to be willing to limit themselves.

Mr. Brennan said he understood the concern, but his concern is right now we don't have an agreement. He said what we have is an understanding between the parties and they could pull it at any point. He said they need us to grant this change and they're going to need us to come back and ask for additional time. Mr. Brennan said he hasn't seen this project move forward. He said he would prefer that we actually go back and ask that, or at least try to couple that, and try to get something that at least during those certain hours that already meet our concerns and that they are allowing right now, that we go in and ask them to just put that on paper for us so that we actually do have an agreement. He said he was going to vote no because he thought we should at least table this and go back and try that.

Mr. Brennan motioned to table this and try to continue negotiations, seconded by Mr. Berk. Ms. West called the vote on the motion to table consideration of this, take it back to committee, and to attempt these negotiations. Mr. Flood asked if doing so would hold up/delay the parking garage. Mr. Yeager responded that it would, as they're on the verge of finalizing the land development agreement and their goal was to have that all wrapped up in June so they could move forward. Mr. Davis thought it would push the VIP garage back at least a month.

With no further comments, Ms. West called the vote on the motion to table. Hearing both yes and no votes, Ms. West called for a roll call. Mr. Davis said a yes vote is to table. Mr. Bell: aye, Mr. Berk: yes, Mr. Brennan: yes, Mr. Flood: no, Mr. Frederick: no, Ms. Gordon: no, Ms. Margolis: no, Ms. West: no. Mr. Davis said the motion to table failed by a tally of five to three.

Ms. West then called the vote on the motion for amendment to the overall land development approval of Bucks County Justice Center complex. Again hearing both yes and no votes, Ms. West called for a roll call. Mr. Davis said a yes vote is in favor of the motion to approve the amended language. Mr. Bell: no, Mr. Berk: no, Mr. Brennan: no, Mr. Flood: yes, Mr. Frederick: yes, Ms. Gordon: yes, Ms. Margolis: yes, Ms. West: yes. Mr. Davis said the motion carried by a vote of five to three.

4. Zoning Hearing Board Report. Mr. Brennan said he would defer to Ms. Hyland for this report. Ms. Hyland reported that the Board met on May 16, at which time two applications were continued: 168 East Oakland Avenue and 425 South Main Street. She said the Zoning Hearing Board did hear two other applications: 1) 174 Lafayette Street, a request for dimensional variances to accommodate a garage, which was approved; and, 2) 163 East Ashland Street, a request for a variance from the "protection of solar access," which was denied.

Mr. Bell asked if there was any reason given for the continuances. Ms. Hyland replied that the requests were made by the applicants with no reason given.

5. Historic & Architectural Review Board (HARB) Report. Mr. Brennan said that at their regular monthly meeting, the HARB recommended the issuance of Certificates of Appropriateness for the following applications: Sign Application: 169 North Main Street, Shooe

Equities, LLC., as presented using brushed aluminum materials. On inspection, the Borough will check the reflectivity of the metal on the sign; Building Applications: 1) 211 Belmont Avenue, Jeff and Elizabeth Derham, resubmitted application for residential exterior renovations, 2) 160 Lafayette Street, Phil and Patti Biaesch, for residential new construction, conditional on the following changes: use the West Oakland Avenue side option without a metal pent roof, use the original Lafayette Street rendering with a gable roof and remove the metal pent roof. During the permit review process, the Borough will provide their recommendation regarding the gutter option, and 3) 164 E. Court Street, Beth Binger and Nick Gray, to replace the existing windows in the projected bay and install new operable window units with insulated glass. The existing brick chimneys are in poor condition and are approved for removal.

Mr. Brennan said there was not a quorum present at the Committee meeting, but the members in attendance recommended that Council approve the applications in accordance with the HARB's recommendations. (Brennan-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

6. **Code Enforcement Monthly Activity Report.** Mr. Brennan reported there were 48 residential and two non-residential use and occupancy inspections, 18 complaints were investigated, 16 building inspections, two recycling inspection, 45 sidewalk/paving inspections, no sidewalk/snow inspections, 14 litter enforcement, no graffiti, four fire company issues, and three tree removal permits/issues.

7. **Building Inspection Monthly Report.** Mr. Brennan reported there were 163 total permits and a total cost of permit fees of \$23,329.50.

ENVIRONMENT AND RECREATION - Ms. Margolis

1. **Consideration of Ordinance No. 2018-6, Public Vehicle Charging Stations.** Ms. Margolis reported that this ordinance is for the installation of two vehicle charging stations donated by Zygmunt Motors, Inc. One charging station is to be installed in Plaza West and the other in the Pine Street parking lots for use by the public. The installations are a pilot program and will be monitored with a view to possibly adding more in the future.

Ms. Margolis said the Committee is recommending adoption of Ordinance No. 2018-6, which was properly advertised. She said that if Council wished to follow the recommendation, it could do so by motion. (Margolis-Brennan) Ms. Margolis reminded everyone that these two charging stations were donated to the Borough and thank you went out to Zygmunt Muzylowski.

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

Ms. Margolis next commented on an item not on the agenda which was that the third Design for Nature Garden Tour is scheduled for June 16, 10 a.m. to 3 p.m. She said she understands that they have some really great properties on the tour. Tickets are \$10 online, at the Doylestown Book Store, or at Bowman's Hill Wild Flower Preserve. She encouraged everyone to go.

WATER UTILITY - Mr. Flood

Mr. Flood stated that the Committee did meet. He then called on Mr. Norris for the Water Department Report. Mr. Norris reported that there were two water service repairs, 23 water meter repairs, 16 final readings, 15 house calls, 11 well house repairs, eight SCADA System Alarms,

seven non-payment shutoffs, two bulk chemical deliveries, one power outage, and one emergency shutoff. He said new chemical tanks have been purchased and prep work has begun for this year's upgrades at the old water works well house. Mr. Norris also noted that the PA Department of Environmental Protection performed their triennial water system inspection in April, where no violations were found. He said the few areas of concern will be addressed in the very near future. Mr. Flood asked if those things would be addressed within our budget and Mr. Norris replied they would. He asked how long the Borough has to fix those things. Mr. Norris said three years, and it will take us less than a month.

FINANCE/PENSION - Ms. West

Ms. West reported that the Committee did not meet this month and there was no report. She then asked Mr. Davis for the monthly report. Mr. Davis said that Ms. Brinker was attending the Fanny Chapman Pool Board meeting this evening. He then reported that the total of all funds expended was \$774,360.46. Motion to approve the Finance Report. (Berk-Flood)

PERSONNEL - Mr. O'Brien

In Mr. O'Brien's absence, Ms. West stated there was no Personnel report.

PROFESSIONALS' REPORTS

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

Solicitor's Report - Mr. Yeager: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Knott stated the Police Activity Report was provided, showing that last month, there were 1228 incidents in the Borough and that year-to-date, they have spent \$1,730,953.66.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS

Mr. Flood joined with the Mayor in thanking the Civil War Round Table and the Bucks County and Doylestown Historical Societies for the event for the 150th anniversary of the monument. He said Messrs. Brennan, O'Brien, and Frederick, himself, and Mayor Strouse were present at this terrific event. Mr. Flood said he hoped the monument and this republic will be here 150 years hence.

OPEN PUBLIC COMMENT:

An audience member thanked the Public Works Department for the great job they did with the branch clean up and the snow clean ups.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 8:05 p.m., Ms. Margolis moved to adjourn, seconded by Mr. Berk. The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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