

January 27, 2020
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: Council President Jack O'Brien, Vice President Noni West, and Council Members Ben Bell, Tim Brennan, Larry Browne, Joe Flood, Joe Frederick, Jennifer Jarret, and Wendy Margolis. Also present were Mayor Ron Strouse, Junior Councilperson Alec Maraska, Borough Manager John Davis, Borough Solicitor Ernest Closser, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Engineer Jim Dougherty, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, Karyn L. Hyland, Director of Building and Zoning, and Water Director Chris Norris. Finance Director Caroline Brinker was absent due to her attendance at the Fanny Chapman Pool Board meeting.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

Mayor Strouse made the following plaque presentations for service on the Borough's volunteer boards:

1. Michael Moscherosch, for service on the Environmental Advisory Council (EAC), 2012-2019. The Mayor said Mr. Moscherosch is a fact-based type person and he brought that type of sensibility to the EAC. The Mayor said that by way of background, Mr. Moscherosch works with underserved communities, mostly in Africa, for Johnson and Johnson. He said he heard a story that one of the projects was identifying the possibilities of using banana peels for feminine hygiene. Mr. Moscherosch said it is actually banana tree fibers. Mayor Strouse said that Mr. and Mrs. Moscherosch, even though he is stepping down from the EAC, have a very productive plots in one of the community gardens, and if you're extra nice to them, they may just give you a nice ripe tomato during the summer.

Mayor Strouse then commented that of all the boards and commissions, he thought the Borough has around 105 volunteers and there are some people who serve on two, we get a little concerned when there is this kind of a quantum number that step down at the same time. He said he now knows that Board of Managers of the Fanny Chapman Swimming Pool members may only serve two consecutive terms and then they must step down. He said the Fanny Chapman swimming pool has been around since 1927 and in those years since, the pools have come a long way with not just one pool, but something like five now. Mayor Strouse said the following are the ones who do such impressive work:

2. Robert O'Reilly, for service on the Fanny Chapman Pool Board, 2014-2019, where he brought a financial background and served as Chair of the board for 2018-2019.

3. Gary Mincieli, for service on the Fanny Chapman Pool Board, 2014-2019, who gave the ability for Fanny Chapman to be active in a social media way.

4. Edward Walsh, for service on the Fanny Chapman Pool Board, 2014-2019. Mayor Strouse said Mr. Walsh has a teaching background and has coached swimming at Central Bucks East for the last 50 years. He also teaches lifeguard classes.

Mayor Strouse all three men played a very important role on the Pool Board, and he looked forward to them applying in the future to come back to serve again.

5. Don Berk, for service as Borough Councilperson, 2008-2019. Mayor Strouse added that Mr. Berk is an avid cyclist and was consistently over the years, and he hoped going forward as well, organized the annual Ride of Silence to encourage respect and understanding for the rules of the road and safety for cyclists, and, probably most importantly, he was instrumental in making sure Doylestown is sensitive to equal rights for all residents of Doylestown. He said that more than 10 years ago, Mr. Berk was involved in the leadership that established our Human Relations Commission and related ordinance, and he has worked very actively in that regard since then. The Mayor said that Mr. Berk is already missed and he then congratulated Mr. Berk.

Ms. West commented that she has served with Mr. Berk ever since she came onto Council and he is a pleasure to work with, always brings a new and different perspective to all issues, and basically has served as their "social engineer" on Council during his 12 years. She said he will be missed.

Mayor Strouse added that Mr. Berk is now a professor at DeVal University. Mr. Berk said he is actually an adjunct professor in speech.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **December 16, 2019 Council meeting minutes**. (Margolis-West) The vote was called and the minutes were unanimously approved.

Mr. O'Brien next called for a motion to approve the **January 6, 2020 Reorganization Meeting minutes** of Doylestown Borough Council. (West-Browne) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT: No report.

PUBLIC SAFETY - Mr. Frederick

1. **Consideration of Ordinance No. 2020-1, Eliminating Parking on East Court Street at Broad Street.** Mr. Frederick said that Council, at its December meeting, authorized advertisement of this ordinance, which calls for the creation of a no-parking zone on the south side of East Court Street extending 145 feet east from Broad Street. He said the ordinance is necessitated by the construction of the new Bucks County parking deck with an entrance/exit on East Court Street. Ordinance No. 2020-1 has been properly advertised.

Mr. Frederick said that the Committee is recommending that Council adopt Ordinance No. 2020-1, and if Council wished to follow the recommendation, it could do so by motion.

(Frederick-West) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. Consideration of Ordinance No. 2020-2, Addressing Parking on South Clinton Street.

Mr. Frederick said that Council, at its December meeting, authorized the drafting and advertising of an ordinance creating a no-parking zone on the east side of South Clinton Street extending 63 feet south from Bridge Street in order to correct a sight distance problem for westbound Bridge Street traffic at South Clinton. He said that the ordinance would result in the elimination of one on-street parking space.

Mr. Frederick said that in order to replace that space, and to add badly needed unrestricted parking on South Clinton Street at the transportation center, Council also authorized the drafting and advertising of an ordinance eliminating the two-hour parking restriction on the west side of Clinton for 66 feet south of the bus stop in order to create three unrestricted parking spaces.

Mr. Frederick said that Ordinance No. 2020-2 addresses the foregoing parking issues on South Clinton Street, and the ordinance was properly advertised.

Mr. Frederick said that the Public Safety Committee is recommending adoption of Ordinance No. 2020-2, and if Council wished to follow the recommendation, it could do so by motion.

(Frederick-Flood) 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, showed there were 15 incidents requiring the Fire Company's response in December 2019.

PUBLIC WORKS AND ADMINISTRATION - Mr. Flood

1. PennDOT Maintenance Yard Demolition Bid Award. Mr. Flood said that as Council is aware, the Public Works Department will be constructing the new park "in-house," utilizing our own forces when possible, and acting as the General Contractor to manage the project. He said that this approach will save over a million dollars over a fully outsourced project. The latest park budget and schedule were provided.

Mr. Flood said that as the very first step in the redevelopment of the three-acre plus PennDOT storage yard into the new public park, we have advertised and solicited sealed bids for the demolition of the three largest structures on the site: the salt bin and two storage sheds. He said the bid solicitation and scope was advertised and bids were received on December 17, 2019. Mr. Flood said that the low bid was \$28,500 submitted by Hugh Marshall. A meeting was held with Marshall and we are satisfied they are capable of performing the work, and we also have prior good experience with this contractor in the Borough. Mr. Flood said the budget line item estimate for the demolition was \$45,000 and Staff is recommending the bid be awarded to Hugh Marshall Landscape Contractors, Inc.

Mr. Flood said the final reviews of the bids, and the interview with the low bidder, occurred after the January Public Works Committee meeting, and therefore the Staff recommendation is being forwarded to Council without a formal Committee recommendation. He said that if Council wished, a Motion could be carried to award the bid to Hugh Marshall Landscape Contractors Inc., in the amount of \$28,500. (Flood-Browne)

Mr. Flood pointed out that while they did not discuss this Committee, there was an email that went out to the Committee members and unless they changed their minds, all were in agreement to accept the low bid.

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

2. **Public Works Department Monthly Reports.** Mr. Ehlinger stated that the monthly Work Order Report shows a total of 12 work orders in the month of December. He said December is typically a slower month since they are finishing up leaves. Mr. Ehlinger said the leaf collection season was a success and they finished on time. Lastly, Mr. Ehlinger stated that the Fleet Services Report was provided, which is where they provide fleet services for our own rolling stock and that of the Central Bucks Regional Police Department.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell stated the Committee held an organizational meeting to map out what is shaping to become a busy year for the Committee. He said they are expecting a dozen large community events, so coordination efforts are underway already. Mr. Bell said there are no motions for Council to consider this month, but that will soon change and they are looking forward to a great year for the community.

ZONING AND PLANNING - Mr. Brennan

1. **Authorization to Draft and Advertise an Ordinance Eliminating Term Limits for the Historic and Architectural Review Board Members.** Mr. Brennan stated that during a recent review of our ordinances, it was identified that the Historic and Architectural Review Board members are limited to a maximum of two consecutive four-year terms. He said that this structure is not based on any other regulatory requirement and is inconsistent with other Borough boards and commissions, with the Fanny Chapman Pool Board being the only exception

Mr. Brennan said that as a result, the Zoning and Planning Committee is recommending that Council authorize the drafting and advertisement of an ordinance eliminating the term limit. He said that if Council wished to follow the recommendation, it could do so by motion. (Frederick-Margolis)

Mr. Flood said he will support this, but he wanted to know why this was enacted to begin with. Mr. Brennan said he speculated that it was probably in the 1970/1980s, where they had form ordinances in a book and he guessed that this was part of that. Mr. Davis said it is a relic

of the original ordinance. Mr. Flood asked if we know when that was. Mr. O'Brien thought maybe 1965, but Mr. Davis said it is the 50th anniversary of the Historic Board, so that would make it 1970. Mr. Brennan said that while they did talk about the philosophical side of term limits, one of the big considerations we had is that it is a really unique membership where you need an engineer, a realtor, etc. and they were concerned about vacancies and to some extent, uniformity.

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

2. **Zoning Hearing Board Report.** Mr. Brennan deferred to Ms. Hyland, who reported that the Board met on January 15, 2020, and heard the following applications: 425 South Main Street, by Provco Pinegood Doylestown South, LLC, which was an application for a front yard set back to allow the monument sign to align with the Borough's gateway signage that Wawa will be providing; 67 North Broad Street, which is the old controller's office, by Gould Shumskas, LP, which requests a parking variance; and, 325 South Main Street, by Peoples Security Bank & Trust, old McCloskey's Music, which was a use application to allow for a bank. She said that all three applications were approved.

3. **Historic & Architectural Review Board (HARB) Recommendations.** Mr. Brennan stated that at its regular monthly meeting held on December 17, 2019, the HARB recommended the following: **Sign Applications:** none; and, **Building Application:** 155 East Ashland Street, by Chase and Sheila Gundlach. HARB recommended issuance of a Certificate of Appropriateness, as presented, for the demolition and construction of a new residential home to include a standing seam metal roof, brick and lap Hardiplank siding.

Mr. Brennan said that the Zoning & Planning Committee recommends that Council approve the application in accordance with HARB's recommendation, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Brennan-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

4. **Code Enforcement Monthly Activity Report.** Mr. Brennan reported there were 45 residential and five non-residential use and occupancy inspections, nine complaints were investigated, one recycling/trash inspection, nine sidewalk/paving inspections, no sidewalk/snow inspections, three litter enforcement, zero graffiti, six fire company issues, and one tree removal permit/issue.

5. **Building Inspection Monthly Report.** Mr. Brennan reported there were 33 building inspections and 49 plan and permit reviews. The total cost of permit fees was \$26,495.70.

ENVIRONMENT AND RECREATION - Ms. Margolis

1. **Authorization to Advertise Bids for Construction of Family Restroom at Fanny Chapman Pool.** Ms. Margolis said that a Notice to Bidders for the construction of a family restroom at the Fanny Chapman Pool Complex was provided. She said the timing was not right

for the Committee review these documents. Ms. Margolis said that if Council is in favor of advertising the Notice to Bidders for this project, it could do so by motion. (Margolis-Brennan) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

Ms. Margolis then reminded everyone that they have scheduled a public meeting about reducing single-use plastics on March 10, 6:00 p.m., at the County Theater, and they will be showing a film called "Bag It", which is a demonstration of why single use plastics are a problem. She said a discussion will follow. Ms. Margolis said this will be advertised formally fairly soon.

WATER UTILITY - Ms. Jarret

1. **Amendment to the Water Capital Budget: Mechanics Street Water Service Replacements.** Ms. Jarret said that the County of Bucks is currently replacing the water main on Mechanics Street between Church and Broad Streets to provide additional fire flow to support the renovation of the old courthouse. She said that this presents an opportunity to replace any lead water services discovered on Mechanics Street.

Ms. Jarret said the Borough and County have agreed on a \$3,600 per service replacement cost not to exceed \$36,000. She said that this expenditure would be covered by an amendment to the 2020 Water Capital Budget, a copy of which was provided.

Ms. Jarret said that the Borough Staff and Water Utility Committee are recommending that Council approve the proposal and the amendment to the Water Capital Budget. She said that if Council wished to follow that recommendation, it could do so by motion. (Jarret-Flood)

Mr. Bell asked if it wouldn't be more conventional for these amendments to be reviewed and approved in Finance. Mr. O'Brien said it is really part of the Water Capital Budget, which is why it is here - there's a separate Capital Budget for water that we've established.

Mr. Brennan asked if this is laterals. Mr. O'Brien said yes. It is the connection from the main to the property/residence/facility.

Mr. O'Brien asked if the \$36,000 is adequate to cover this. Mr. Davis said \$36,000 is our maximum exposure. He said there are 10 potential service replacements and if all of them are lead or in need of replacement, it would cost \$36,000; if not, it will be less.

Mr. Frederick said it is really called a service, not a lateral as a lateral is for sewer.

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

2. **Water Department Monthly Report.** Ms. Jarret called upon Mr. Norris for the monthly Water Department Report. Mr. Norris reported that there were one water main repair, one hydrant repair, 14 SCADA System Alarms, 12 well house repairs, seven house calls, six emergency shutoffs, three meter repairs, and one bulk chemical delivery. Two photos of the event were shown. Mr. Norris explained that the first picture depicts the hydrant damage, which is actually an example of a perfect hydrant breaking as it should. He said there is a plate that holds the top half in place, which is designed to break away and in the center, there is a pin that is expected to

break away (second photo) to avoid what we saw in the 1970/80s television shows when someone would hit a fire hydrant. Mr. Norris said this break could not have happened more perfectly. The total repair time once the men were on site, was probably 30 minutes or less.

Mr. Ehlinger commented that one was hit on South Main Street was hit last week and it broke entirely wrong. Mr. Norris added that one is still being repaired.

Mr. Norris completed his report by stating that from the front office, there were 16 final readings, 29 water leak notices were sent, seven meter repair notices sent, 184 late payment notices were sent, and 67 shutoff notices were sent. Mr. Norris added that the quarterly wheeling invoice was sent to the township for \$2,700.

FINANCE/PENSION - Ms. West

Ms. West commented that the Finance Committee did not meet this month and there were no orders of business. She said Mr. Davis would present the **Finance Report** since Ms. Brinker was attending the Fanny Chapman Pool Board meeting. Mr. Davis reported that the total of all funds expended was \$829,912.19. Motion to approve the Finance Report. (West-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

PERSONNEL - Mr. O'Brien

Mr. O'Brien commented there were no action items from the Personnel Committee, but noted there are two meetings scheduled to conduct interviews for our Board and Commission vacancies.

PROFESSIONALS' REPORTS

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

Solicitor's Report - Mr. Closser: No report, but he did comment that he was very excited to be here and he looks forward to working with Council and the Borough Administration on the issues that may come up. Mr. O'Brien welcomed Mr. Closser because although he has some big shoes to fill, he was sure he'll do it.

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Knott stated that the Police Activity Report showed there were 899 incidents in the Borough in December 2019. To year end, the Department spent \$5,714,912.24 and were at 99.74% of their yearly budget. The Chief noted that the CBRPD in 2019 responded to 22,316 calls for all three Boroughs.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:28 p.m., Mr. O'Brien entertained a motion to adjourn. (West-Frederick) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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