

March 21, 2022
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 Wendy Margolis, and Council Members Larry Browne, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Amy Popkin. Also present were Mayor Noni West, Junior Councilperson Mary Frances McNulty, Borough Solicitor Joanna Waldron, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Engineer Jim Dougherty, Borough Manager John Davis, Building and Zoning Karyn Hyland, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, and Finance Director Caroline Brinker. Council Members Ben Bell and Tim Brennan were absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

1. **Plaque presentation to Barbara Healy**, in appreciation of her service as a member of the Economic Development Advisory Board, 2015-2019, and a member of the Park and Recreation Board, 2019-2021. Mayor West said she knew from working with Ms. Healy that she's always ready to step up. Ms. West then read a message from the Park & Recreation Board to Ms. Healy: Thank you for your valuable ideas in making our Park and Recreation programs the best.

2. **Plaque presentation to Retired Borough Employee John Morrone**, in appreciation and recognition of his 23 years of dedicated service to the Doylestown Borough Public Works Department, 1998-2022. Mayor West said this is really a lifetime change presentation and given what Mr. Morrone has done for the Borough, the presentation wouldn't be as powerful unless it came from Mr. Ehlinger.

Mr. Ehlinger commented that everyone present is proud of our Public Works Department, including himself, and he thought our team is one of the best of any Pennsylvania municipality. He said that everyone in the department pretty much has the same job title and they're all expected to be a jack of all trades, but over time and training, they all migrate into a speciality. He said that in Mr. Morrone's case, it was signs. Mr. Ehlinger said Mr. Morrone has probably had his hands on or put up every sign in this town. He said he did an excellent job and the Borough was lucky we were able to lean on Mr. Morrone whenever there was a sign project. Mr. Ehlinger also said that Mr. Morrone ran the paver which is the bedrock of the department, as we still do in-house paving which few municipalities do anymore, and he did that for 20 odd years. More recently, when working on the new park across the street, Mr. Ehlinger said that Mr. Morrone was the key machine operator and he spent a month over at Del Val University loading dirt on the truck. Mr. Ehlinger said of special note is that when Mr. Morrone was finished over at DelVal, he wanted to clean the place up for them. He said we received compliments on how nice the place was left when we were finished there. Mr. Ehlinger credited Mr. Morrone for that. Everyone at the dais then wished Mr. Morrone good luck in his retirement.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **February 28, 2022 Council Meeting Minutes**. (Browne-Margolis) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Mayor West noted some of the upcoming events: fish delivery at the Borough Dam on March 23, the Youth Fishing Derby/Opening Day on April 2, the Easter Bunny Comes to Town on April 9, and the produce market opens on April 16. She noted there is an upcoming event new to us, it's held in the Township but organized by Doylestown residents, and it's the first ever Saree Run, being held on March 27, from 1 to 4 pm, honoring Women's History Month and International Women's Day. The Mayor said that, "it celebrates and dispels the misconception that you can't run in a saree."

PUBLIC SAFETY - Mr. Frederick

1. **Consideration of Resolution No. 2022-4, Ratifying the 2021 Bucks County Hazard Mitigation Plan.** Mr. Frederick said the Bucks County Hazard Mitigation Plan (HMP) was developed to identify the vulnerabilities and risks associated with hazards and to define a mitigation strategy to reduce these vulnerabilities. He said that once approved by the Pennsylvania Emergency Management Agency (PEMA) and Federal Emergency Management Agency (FEMA), communities that adopt the 2021 Bucks County Hazard Mitigation Plan (HMP) will be eligible for FEMA disaster grants. Mr. Frederick said that the CRS communities may also be able to gain points for decreased insurance costs. He said that this HMP could improve a community's bond rating when considering future conditions.

Mr. Frederick said that the County has received "Approved Pending Adoption" (APA) status for the 2021 update to the County's 2016 Hazard Mitigation Plan. He said that with receipt of APA final completion of the plan, the process has transitioned back to the BCPC.

Mr. Frederick said that the next step to officially complete the planning process is for each municipality to formally adopt the HMP plan via resolution. (Links were provided to the plan, <https://www.buckscounty.gov/1391/Bucks-County-Hazard-Mitigation-Plan-2021>, and to the Executive Summary, <https://www.buckscounty.gov/DocumentCenter/View/5329/2-Bucks-County-HMP-Executive-Summary>.)

Mr. Frederick said that the Public Safety Committee is recommending the adoption of Resolution No. 2022-4, and if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne) With no comments from Council, Staff, or the public, Mr. O'Brien called the vote. All were in favor and the motion passed unanimously.

2. Mr. Frederick said that the Doylestown Fire Company monthly report had been provided to Council in their packets and was available to the public by following the packet link noted on this meeting's Agenda.

PUBLIC WORKS AND ADMINISTRATION - Mr. Browne

1. Mr. Browne reported that the Committee did not meet, but the monthly **Public Works Department Report** was provided in Council's packet and was available to the public by following the packet link noted on tonight's meeting Agenda. He then asked Mr. Ehlinger if he had anything to add. Mr. Ehlinger stated that the Public Works Department Report pretty much summarized their work for the past month. He said they've been on snow fighting duty and getting ramped up for spring. Mr. Ehlinger said they will be sending out a notice that the full town sweep will be beginning next Monday.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

In Mr. Bell's absence, Mr. O'Brien said there was no report. Mr. Davis concurred and said that the Committee did not meet.

ZONING AND PLANNING - Mr. Brennan

In Mr. Brennan's absence, Ms. Margolis reported on the following:

1. **Consideration of Resolution 2022-6, Authorizing Borough Manager to Execute Traffic Signal Applications and Maintenance Agreement.** Ms. Margolis said that this resolution authorizes the Borough Manager to submit traffic signal applications to PennDOT and to execute a Traffic Signal Maintenance Agreement (TSMA) with PennDOT. She said that currently, applications for new traffic signals and for modifications to existing traffic signals require a resolution with each submission. Similarly, maintenance responsibilities for traffic signals are addressed with each individual signal. Ms. Margolis said that this resolution streamlines the traffic signal application process by eliminating the need for resolutions and by creating a master maintenance agreement.

Ms. Margolis said that the Zoning and Planning Committee is recommending adoption of Resolution 2022-6, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Margolis-Browne)

Mr. Davis assured Council that even though this streamlines the administrative process, Council will still be in the loop of any changes being made to our signalized intersections.

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

2. **Authorization to Advertise Ordinance Amending Chapters 6 and 13 of the Borough of Doylestown Code of Ordinances Regarding Open Containers.** Ms. Margolis said this ordinance allows for the sale and consumption of alcoholic beverages in public rights-of-way as part of sidewalk dining licenses, platform dining licenses, if applicable, and pedestrian zone events. She said that the ordinance also permits Borough Council to approve the sale and consumption of alcoholic beverages on public property and public rights-of-way as part of the event permit application review.

Ms. Margolis said that the Zoning & Planning Committee recommends that Council authorize advertisement of this ordinance, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Margolis-Jarret)

Mr. Frederick asked how far you can go with the open alcohol containers, just in the area where the dining will be? Mr. Davis said yes, it overlaps with the platform dining license, if there is such a license, with the sidewalk dining license issued for a specific area and with the area allotted to a particular restaurant during a pedestrian zone. Mr. O'Brien believed they would also need to get a premises extension permit from the LCB. Mr. Davis said yes, a licensed establishment would need that.

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

3. Authorization to Advertise Ordinance Amending Chapter 13 to add Part 13 – Platform Dining. Ms. Margolis said that this ordinance allows for the licensing and regulation of dining platforms. She said that this ordinance was drafted at the request of the Community Support Working Group as one component of a more comprehensive outdoor dining program initially born out of COVID-19 pandemic regulations.

Ms. Margolis said the ordinance allows for up to two parking stalls per block in the downtown area to be occupied by a curb-height platform for the purpose of sit-down dining. Platform applications will be reviewed by Borough staff for compliance with safety and aesthetic standards. (A copy of the proposed standards was provided.)

Ms. Margolis said that the Zoning & Planning Committee reviewed the proposed ordinance at several well-attended meetings and recommends that Council authorize advertisement of the attached ordinance. She said that if Council wished to follow the Committee's recommendation, it could do so by motion. (Margolis-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

4. Zoning Hearing Board Report. Ms. Margolis deferred to Ms. Hyland, who reported that the Doylestown Borough Zoning Hearing Board held a Public Meeting on March 16, 2022, to hear the following applications: 57 North Clinton Street, by Bruno Petrillo, Jr., who were granted a side yard setback variance to permit the construction of a two-car detached garage; 50 North Main Street, by Worth & Worth, which was granted approval to expand their lot coverage which enabled them to build a five bay garage for the residents of the building; and, 275 West Court Street, by Stephen Keib and Victoria Zebro, who were granted relief from the floor area ratio requirement to renovate the second floor of the existing detached garage.

Ms. Hyland further reported that the Zoning Hearing Board will hold a Public Meeting March 30, 2022 to hear the following applications: 14 East Court Street, by Lynn and William Goldman, who are requesting a side yard setback variance to permit a generator in their side yard; and, 440 Boro Mill Hill Road, by Marc Galietta. Ms. Hyland said this is the former Borough house

and the Borough had previously obtained zoning relief to allow future owners to expand the houses there; however, the owner is looking more relief to build an in-law suite on the property.

5. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Margolis said at its regular monthly meeting held on February 24, 2022, the Borough of Doylestown Historical & Architectural Review Board (HARB) recommended the following Building Applications: 209 West Court Street, Joseph Piccillo and Julie James, for windows. The HARB recommended that Council approve the application as submitted; and, 41-43 East State Street, Lynn and Bill Goldman, for an addition and external renovations. The HARB recommended the approval of the application with the condition that the replacement wall lights shall be architecturally appropriate.

Ms. Margolis said that the Zoning and Planning Committee recommended that Council approve the applications in accordance with HARB's recommendations, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Margolis-Jarrett) 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** and 7. **Building Inspection Monthly Report.** Ms. Margolis stated that these reports were provided in Council's packet and they are available to the public by following the packet link noted on this meeting's Agenda.

ENVIRONMENT AND RECREATION - Ms. Margolis

1. **Resolution No. 2022-5, DCNR Grant Application Broad Commons Park Play Area.** Ms. Margolis said that this resolution authorizes a grant application to the Pennsylvania Department of Natural Resources for the Broad Commons Park Play Area. She said that although the design process is still ongoing, a current rendering of the proposed playground and a cost estimate were provided in Council's packet. She said that the grant calls for a fifty percent match by the Borough.

Ms. Margolis said that the Park and Recreation Board and Council's Environment and Recreation Committee are recommending that Council adopt Resolution No. 2022-5, and if Council wished to follow the recommendation, it could do so by motion. (Margolis-Livrone)

Mr. Livrone said he found it odd that on the resolution page, he could not find the actual amount being requested. Mr. Davis explained that the resolution does not require it. He added that the application is still a work in progress. He said the best estimate we have now is what Ms. Margolis just stated. Mr. Davis said we have about two weeks from now to finalize the cost estimates and further refine the drawing, and then submit. He said prior to the actual submission, he would provide Council with an updated cost estimate, including our in-kind costs. Mr. Davis said the time frame of the grant has really compressed the design/approval process, and he apologized for things being somewhat loose at this point, but we don't want to miss an opportunity to get some significant state funding for this project.

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

WATER UTILITY - Ms. Jarret

Ms. Jarret reported that the Committee did meet, but there were no actionable items. She said they did get an update on the new water main that were installed on North Main Street, first down by the Swamp Road area and the second between Veteran's Lane and Union Street. Ms. Jarret said our Water Director was happy with the work done.

FINANCE/PENSION - Ms. Popkin

1. **01/01/2021 Act 205 Actuarial Valuation Report.** Ms. Popkin asked Ms. Brinker to present this item. Ms. Brinker reported that the January 1, 2021 Act 205 Actuarial Valuation Report for the non-uniformed pension plan was filed with the Office of the Auditor prior to the March 31, 2022 deadline. She said the biennial valuation report contains data and cost components that are used to determine the annual financial requirements of the plan, plus the data is used to calculate state pension aid for cities, boroughs, towns, and townships. Ms. Brinker said that for the January 1, 2021 filing, the mortality tables were updated to "MP-2020 Public General" and the assumed rate of return was reduced from 7.25% to 7.0%. She noted that the filing of this report should be reflected in the minutes.

2. **Finance Report.** Ms. Brinker reported that Council was provided with a list of prepaid bills and a list of bills to be paid this evening. She said the total of all funds expended was \$714,146.30. Motion to approve the Report. (Popkin-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

1. **Consideration of Ordinance No. 2022-3, Expanding the Planning Commission.** Mr. O'Brien said that the Borough's current ordinance sets the size of the Planning Commission at five members. He said that the Municipalities Planning Code allows anywhere from three to nine members.

Mr. O'Brien said that the Personnel Committee met in February 2022 to conduct interviews for volunteer boards and commissions. The Committee recommended that Council authorized the drafting and advertising of an ordinance increasing the size of the Planning Commission to seven members. He said Ordinance No. 2022-3 was then drafted and properly advertised.

Mr. O'Brien said that the Personnel Committee is recommending that Council adopt Ordinance No. 2022-3, and if Council wished to follow the recommendation of the Personnel Committee, it could do so by motion. (O'Brien-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

PROFESSIONALS' REPORTS

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

Solicitor's Report - Ms. Waldron: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Knott: No report other than what was included in the packet. The CBRPD monthly activity report showed there were 915 incidents in the Borough in February 2022, and year-to-date, the Department spent \$908,156.08 and were at 13.86% of their yearly budget.

PRESIDENT'S REPORT

Mr. O'Brien commented that he went to Clean Up Day at the Borough Dam and there were quite a few people there. He said they accomplished quite a bit of work in two hours, managing to be done by 10 am. He said there was a huge pile of mulch that needed to be spread and debris to be removed from the winter. He reminded everyone that the fish are being delivered on March 23, at 11 am. Mr. O'Brien said it's fun to watch the kids dumping the fish into the pond.

OLD BUSINESS: None.

NEW BUSINESS

Ms. McNulty said that since March is Women's History Month, she wanted to compliment all the women in Doylestown who contribute in making Doylestown Borough such a special space. She said that in particular, she wanted to recognize Ms. Popkin, Ms. Jarret, Ms. Margolis, Ms. Hyland, Ms. Brinker, Ms. Waldron, and last but not least, our Mayor, Ms. West for being such great role models to the young women in our community.

OPEN PUBLIC COMMENT

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:36p.m., President O'Brien entertained a motion to adjourn. (Browne-Margolis) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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