

October 21, 2019  
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, Don Berk, Tim Brennan, Joe Flood, Joe Frederick, and Wendy Margolis. Also present were Mayor Ron Strouse, Junior Councilperson Alec Maraska, Joanna Waldron, Esquire was present for Borough Solicitor Jordan Yeager, 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. Councilperson Sue Gordon, Borough Manager John Davis, and Finance Director Caroline Brinker were absent.

## **PLEDGE OF ALLEGIANCE**

## **SPECIAL PRESENTATIONS**

1. **A Proclamation Honoring National Epilepsy Awareness Month.** Mayor Strouse introduced Howard and Gloria Shotz, who are spearheading the ribbon hanging for National Epilepsy Awareness Month that Council is considering for approval later this evening. The Mayor then read a proclamation supporting the National Epilepsy Awareness initiative to create better understanding in our community.

2. The Mayor welcomed Patrick Murphy, Joe Terinoni, and their friends, onto the floor. He then read **A Proclamation Honoring the Bagel Barrel, Patrick Murphy, and Joe Terinoni**, which congratulated and thanked them for their tireless efforts to make and build an extraordinary community in Doylestown.

## **APPROVAL OF MINUTES**

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

## **MAYOR'S REPORT**

Mayor Strouse stated that we continue to take great pride in the designation of Doylestown as the "Best Small Town Cultural Scene in America". He said it is well-deserved and it will take increased efforts and achievements to make that distinction a reality going forward.

The Mayor said that a week ago, Doylestown hosted the second annual Bucks County BookFest, which "puts meat on the bones of our well-earned distinction." He said the organizing committee and about 200 volunteers hosted events that were entertaining, educational, thought-provoking, and even career-building. Building on last year, a community book read was introduced with opportunities to discuss this year's book, "The Art of Racing in the Rain". He said with the cooperation of the County Theater, there was a companion movie viewing.

Mayor Strouse said BookFest partnered with Doylestown Fire Company and Fire Prevention Month to provide a host of book readings and presentations for children at the firehouse. They hosted a sold-out writer's workshop at the James Lorah House, giving authors the opportunity to hone their skills, along with a workshop for illustrators. The Mayor said the BookFest introduced

a new "Books and Brew" or "lit crawl" where people gathered at three bars in town and authors moved from location to location reading from their works. It turned out to be standing-room-only at all locations.

Mayor Strouse said the BookFest keynote author, Anna Quindlen, New York Times best-selling author, sold out with about 300 attendees. He said the Sunday BookFest events on Hamilton Street and the Hamilton Street Parking Lot were filled with author panels in tents and vendors, live music, and a bookstore.

The Mayor commented that running through this theme of an extraordinarily successful festival were partnerships and cooperation with a host of businesses and community institutions. He said the BookFest brought a new and important dimension to our cultural scene for residents and visitors, and they accomplished it in partnership with so many elements in our community, including our Borough government. The Mayor said it may not have been their primary goal, but the planning committee accomplished as much to build the community as they did to build the festival. He said a survey to assess strengths and what can be done better has already been sent out, and they are starting the process to build the event for 2020.

The Mayor said they deserve both admiration and thanks for a job well done and the distinction they bring to our best cultural scene in America.

#### **PUBLIC SAFETY - Ms. Gordon**

In Ms. Gordon's absence, Ms. Margolis reported the Committee did not meet this month. She then gave the **Doylestown Fire Co. No. 1 Report**, which showed there were 22 incidents requiring the Fire Company's response in September 2019.

#### **PUBLIC WORKS AND ADMINISTRATION - Mr. Frederick**

1. **2019-2020 Rock Salt Bids.** Mr. Frederick said that on August 27, 2019, bids were opened and publicly read for the purchase of rock salt for the 2019-2020 season. [A tabulation was provided.] He said that last year's low bid was \$47.92 per ton delivered and \$47 per ton undelivered. Mr. Frederick said that if Council wished to award the bid to the low bidder, it could do so by making a motion to award the bid to Morton Salt, Inc. at a price of \$48.50 per ton delivered, conditioned upon receipt of a properly executed performance bond and compliance with the bid specifications. (Frederick-Flood) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Public Works Monthly Report.** Mr. Frederick called upon Mr. Ehlinger for this report. Mr. Ehlinger stated that the monthly Work Order Report and the Fleet Services Report were provided. Mr. Ehlinger reported the Department has been very busy collecting leaves. He said they have started area three this week and residents are reminded to put their leaves on the curb edge, preferably not in the road gutter.

#### **COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Berk**

1. **National Epilepsy Awareness Month Ribbons.** Mr. Berk stated that the Borough received a request to display purple ribbons in the downtown during November in recognition of National Epilepsy Awareness Month. He said the committee has reviewed the request and is recommending approval. Mr. Berk said that if Council wished to follow the recommendation of the Committee, it could do so by motion. (Berk-Frederick)

Mr. O'Brien said he assumed that these are volunteers putting up the ribbons as we have had in the past, and that they will also be removing them at the end of the month. Mr. Berk said yes. Mr. Berk indicated they have been especially cooperative about this.

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

## **ZONING AND PLANNING - Mr. Brennan**

1. **Zoning Hearing Board.** Mr. Brennan deferred to Ms. Hyland, who reported that the Board met on October 16, 2019, to hear the applications for 188 North Franklin Street, Dennis Kennedy, who requested dimensional relief to construct a second floor on a ranch home, and a porch addition on the property; and, 248 East Court Street, Thomas and Lori Santoli, who requested dimensional variances to replace the existing one-car detached garage with a new two-car garage. Ms. Hyland said both applications were approved.

2. **Historic & Architectural Review Board (HARB) Report.** Mr. Brennan reported that at their regular monthly meeting, the HARB recommended the issuance of Certificates of Appropriateness for the following: **Sign Applications:** 88 South Main Street, School of Rock, business sign, and 81 South Main Street, My First Music Club, business sign; and, **Building Applications:** 101-103 Mechanic Street, Candy Hoehn, for residential replacement of windows, porch shutters, door, and porch repairs. HARB recommends issuance of a Certificate of Appropriateness as presented for porch repairs, replacement windows, paneled shutters on the first floor and louvered shutters on the second floor both in wood and sized correctly, new paneled door, and Slateline Architectural shingles, if not cost prohibitive; 320 East Court Street, Dan and Alexa White, for a two-story addition with rear garage, using Hardie Plank siding to match the existing color of the stucco, trim, and composition; 43 Lafayette Street, Victoria Zebro, which project entails the relocation of the property line for 303 West Court Street and 43 Lafayette Street. HARB recommends issuance of a Certificate of Appropriateness for 43 Lafayette Street for an attached garage and second floor addition using either Boral or Hardie Plank smooth siding, as well as a Certificate of Appropriateness for 303 West Court Street for a detached garage using Arctic White Hardie Plank siding with carriage style doors with black strap decorative hardware; 248 East Court Street, Thomas and Lori Santoli, to demolish the existing garage and replace it with a two-car garage using Hardie Plank siding and one-half round aluminum gutters.

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

3. **Code Enforcement Monthly Activity Report.** Mr. Brennan reported there were 50 residential and six non-residential use and occupancy inspections, 23 complaints were investigated, five recycling/trash inspections, five sidewalk/paving inspections, no sidewalk/snow inspections, four litter enforcement, zero graffiti, nine fire company issues, and two tree removal permits/issues.

4. **Building Inspection Monthly Report.** Mr. Brennan reported there were 63 building inspections and 77 plan and permit reviews.

## **ENVIRONMENT AND RECREATION - Ms. Margolis**

1. **Consideration of Resolution No. 2019-7, PECO Green Region Grant Application: Doylestown Borough Tree Inventory.** Ms. Margolis stated that this resolution and grant application, if successful, would offset a portion of the Borough's tree inventory project. She said the tree inventory is the first step toward trying to improve the prospects for Doylestown's tree canopy, as trees are suffering as a result of climate change. Ms. Margolis said we need to get an assessment of how the trees are and where they are, and this would allow us to do that.

Ms. Margolis said that the committee is recommending that Council adopt Resolution No. 2019-7, and if Council wished to follow the recommendation, it could do so by motion. (Margolis- Berk) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Fanny Chapman Pool Family Assisted Shower/Bath Room Design Contract.** Ms. Margolis stated that provided was a proposal from Phillips & Donovan Architects, LLC for the basic design phase and basic project delivery phase services for a family assisted shower and bath room addition to the Fanny Chapman Pool complex. She said the Fanny Chapman Pool Board of Managers reviewed the proposal at the September 23, 2019 meeting and recommended approval. Ms. Margolis said the Environment and Recreation Committee reviewed the proposal at the October 3, 2019 meeting and is recommending that Council approve the proposal. She said if Council agreed with the recommendations, Council may do so by motion. (Margolis-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. **Consideration of Resolution No. 2019-9, to Reduce the Distribution of Single-Use Plastics in Doylestown Borough.** Ms. Margolis stated that a community survey was prepared by the Committee and the Environmental Advisory Council to understand the perspective of residents and business owners on plastic use in the Borough. She said that Resolution No. 2019-9 reflects the community's support to reduce the distribution of single-use, carry-out plastic bags and straws within the Borough. Ms. Margolis said the committee is recommending that Council adopt Resolution No. 2019-9. She then read the resolution in its entirety.

Ms. Margolis said if Council if wished to follow the recommendation of the committee, it could do so by motion. (Margolis-Bell)

Mr. Brennan asked if we're doing anything to advise local businesses if this resolution passes, as it doesn't hurt to have people thinking about it and being aware of it, that's there sort of a social push to try to limit single-use items. Ms. Margolis stated that they are planning to have a public meeting and other educational activities.

Mr. Bell commented that the impact of the resolution is, in fact, that kind of outreach.

Mr. Brennan said he just wanted to make sure that the local businesses are aware of it so they can see it on the horizon and also, hopefully, take some steps. Ms. Margolis said 151 businesses responded to the survey and they were all favorable.

Mr. Maraska asked about alternatives to the plastic, such as canvas: Is that going to be provided? Will it be up to the businesses to do? Will that occur built into their costs? How will it work? Ms. Margolis stated that this is a resolution, not an ordinance. Mr. Maraska asked, in that case, what is recommended for the businesses to do. Ms. Margolis said they will be working on those recommendations, which is part of the education process.

Ms. Margolis also noted that Environmental Advisory Council is going to be having a booth at the Farmers' Market, and everyone is eligible to sign to help with that, where they will be collecting plastic bags and handing out reusable bags. She thought it would be great if everyone on Council could at least take a shift for that.

Mr. Bell commented that the discussions that will be occasioned by this resolution are two-way streets. The businesses know a lot more about alternatives to plastics than we do, so it's an opportunity for the Borough to become educated by the merchants as well.

Mr. Flood pointed out that our survey did not ask anything about people with special needs and the straw ban. He thought if we are talking about a dialogue, it would have been nice if they had been included in the dialogue at the beginning. Ms. Margolis said she didn't exactly remember what was said, but she did know that they've always been planning to allow anyone who needs a straw to ask for one. Mr. Flood said it wasn't in the survey though. Ms. Margolis said some feedback was received to that effect. Mr. Flood said he wasn't giving an argument, it's a point of fact: it was not in the survey. Ms. Margolis said they were conscious of that need throughout. Mr. Flood asked why, then, wasn't it in the survey. Ms. Margolis said she thought it was a mistake not putting it in there.

Mr. Bell said one reason is that we sort of wanted to take the pulse of the community in terms of issues that we felt may be disputed or contentious in some way. Mr. Flood said that the ban in California, that was disputed and contentious. Mr. Bell said that the idea of making straws available as affordance to anyone who needed them isn't an issue that we felt would in any way be in dispute, so there wasn't a lot of utility in adding that as an additional survey item.

Mr. Brennan said he knew that in California and other places, there are alternatives to plastic straws. Mr. Flood said that the special needs community in California was not happy about it and in Great Britain when they instituted one, they did, by law, include an exception; California did not. Ms. Margolis said that would be our intention as well. Mr. Flood said it just would have been nice to have included the question. Mr. Bell stated that we're not actually empowered to pass any laws in this regard and Mr. Flood said he understood that, but the survey was still sent out.

With no further questions or comments from Council, Staff, or the public, Mr. O'Brien called the vote. Hearing one no vote, Mr. O'Brien asked for a roll call. Mr. Ehlinger conducted a roll call: Mr. Brennan: Yes, Mr. Berk: Yes, Ms. Margolis: Yes, Mr. O'Brien: Yes, Ms. West: Yes, Mr. Flood: No, Mr. Frederick: Yes, and Mr. Bell: Yes. Mr. Ehlinger stated that the motion passed seven to one.

Mr. Frederick stated he had a question for Mr. Flood, which was, "Your 'No' vote was because we didn't put the question in the survey?" Mr. Flood asked Mr. O'Brien if that was in order. Mr. Frederick said if it wasn't he would rescind the question. Mr. Flood stated he would address it later in the meeting when there are open comments and asked Mr. Frederick if that was okay with him. Mr. Frederick said that wasn't a problem.

## **WATER UTILITY - Mr. Flood**

Mr. Flood stated that the committee did meet and they mostly discussed the budget for the upcoming fiscal year, but there were no action items. He then called upon Mr. Norris for the monthly **Water Department Report**. Mr. Norris reported that there was one water main repair, one water service repair, one system valve repair, one curb box repair, nine SCADA System Alarms, six well house repairs, six water meter repairs, two house calls, two emergency shutoffs, and two

bulk chemical deliveries. From the front office, he said there were 15 final readings, 34 water leak notices sent, five meter repair notices sent, 182 late payment notices sent, 63 shutoff notices sent, four shut off postings, and six non-payment shutoffs.

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

1. **Request for Proposals: Borough Hall and Central Bucks Regional Police Department (CBRPD) Headquarters Project Construction Management Services.** Ms. West reported that seven proposals were received in response to the referenced Request for Proposals. (A fee tabulation was provided.) She said that after review of the proposals and the interview process, the Staffs of Chalfont, New Britain, and Doylestown Boroughs, Chief Knott, the project architect, and the Intermunicipal CBRPD Headquarters Project Committee are recommending that the low bidder, Adams-Bickel Associates, LLC of Royersford, Pa., be selected as the Construction Manager. She said that if Council agrees with the recommendation, it could do so by a motion to appoint Adams-Bickel Associates, LLC as Construction Manager and to instruct the Borough Solicitor to prepare a contract for execution by the parties. (West-Margolis) 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 Resolution No. 2019-8, Doylestown Hospital Authority Bond Issue.** Ms. West stated that this resolution is required by the Municipal Authorities Act and creates no liability or obligation for the Borough. She said the Borough Solicitor has reviewed the resolution and finds it to be satisfactory. The committee also reviewed the resolution and is recommending that Council adopt Resolution No. 2019-8. Ms. West said if Council wished to adopt the resolution, it could do so by motion. (West-Berk) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. **Finance Report.** In Ms. Brinker's absence, Mr. Ehlinger reported that the total of all funds expended was \$1,182,167.84. 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**

1. **Appointment of Environmental Advisory Council Chair.** Mr. O'Brien stated that due to the resignation of Chair Michael Moscherosch, the Environmental Advisory Council is recommending that Council appoint Joe Wallace, current Vice Chair, as the Chair. He said that if Council wished to follow the recommendation of the committee, it can do so by motion. (Berk-West) 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.** The Police Activity Report showed there were 1077 incidents in the Borough in September 2019. Year to date, the Department spent \$3,842,475.59 and were at 67.06% of their yearly budget. Chief Knott commented that with regard to the incident at the Doylestown Bookstore on Friday night, they are

actively investigating that to the best of their ability. He said it's something they don't see very often here in Doylestown Borough, thank goodness. The Chief said they are in the process of retrieving videos and anything that can help them, and everyone is doing the best they can to get the investigation started.

Mr. Flood asked if in cases like this, is there a description of the suspect or a video posted on the Central Bucks Regional Police website, and where else may the public find it. The Chief said yes it's on the website. He said they start with Crimewatch and then put it on their Facebook page which links back to Crimewatch. He said anything they get, even if it's a shadowy figure, will be posted to try to get the community's help.

**PRESIDENT'S REPORT:** None.

**OLD BUSINESS:** None.

### **NEW BUSINESS**

Mr. Flood said he would answer the earlier question and it's "yes".

Mr. Flood then commented that October is a rather busy month as in addition to our earlier proceedings about epilepsy awareness, it is also Down syndrome month, and also breast cancer awareness month and you'll see a lot of pink around town for that, which he thought looks nice. He thanked everyone involved with Pine to Pink, as it's a very worthy and important cause.

Mr. Flood then congratulated the Central Bucks West Girls Cross County Team on their third straight continental conference title they won on Friday. He wished them and the boys good luck as this week they go up to Lehigh for the districts, and then as they head out to states the week after.

Mayor Strouse said that with regard to Mr. Flood's comments about Pine to Pink, one major undertaking this year is a walk that will take place this coming Friday at 2:30, starting at Delaware Valley University and walking into town to the Mercer Museum, in cooperation with the Pine to Pink effort. He said that Dr. Gallo informed him that as of yesterday, there were more than 200 students who had signed up for this walk.

**OPEN PUBLIC COMMENT:** None.

**EXECUTIVE SESSION:** None.

### **ADJOURNMENT**

At 7:37 p.m., Mr. O'Brien entertained a motion to adjourn. (Margolis-West) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis  
Borough Manager

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