

March 20, 2023
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 Ben Bell, Larry Browne, Curtis Cowgill, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Amy Popkin. Also present were Mayor Noni West, Junior Councilperson Brooke Wassmann, Borough Solicitor Ernest Closser, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Manager John Davis, Building and Zoning Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

1. Plaque Presentation to Christine Harrison for Service on the Fanny Chapman Pool Board, 2017-2022. Mayor West said that Ms. Harrison has a long history at Fanny starting with her family and teaching swim teams.

2. Plaque Presentation to Judith Stratton for Service on the Shade Tree Commission, 2009-2022. Mayor West said that Ms. Stratton, our master gardener, has been a backbone for the Shade Tree Commission and she is also this year celebrating 30 years at the Church Street Community Garden.

3. Plaque Presentation to Jim Foster, Pool Manager of Fanny Chapman Pool, since 2007. Mayor West said that Mr. Foster is well-respected by youth and by the 100 staff that he manages in the summertime. She said he is thanked for his professional and diligent work during Covid to keep our pool open. The Mayor also thanked wife, Barbara Foster, who was the behind the scene registrar for the Pool and kept the books in excellent shape.

Mr. Foster said he couldn't say enough about the community of Doylestown and it was his pleasure to be the Pool Manager, which he thoroughly enjoyed. He then gave a big shout out to his wife because he "couldn't have done it without her."

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **February 27, 2023 Council Meeting Minutes**. (Margolis-Browne) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

The Mayor gave the following report:

This past week: the Planning Commission had it's first community input meeting for our Comprehensive plan where around 100 people gathered in this room; the

Doylestown Fire Company served over 2,000 people at their annual Pancake Breakfast; and, turnout at the Borough Dam clean up was large enough that the work was done by 9:30.

Last week and today, the first day of Spring, mark the beginning of traditional and new events that will start to take us through the year: the stocking of the Borough Fishing Dam is March 22 and April 27; Youth Fishing Day opens April 1 and Seniors and disabled Veterans is April 29; an Easter Egg Scavenger Hunt runs March 26-April 8; the Easter Bunny visits April 8 and is available for photo ops at Discover Doylestown; April 11 is the second community Comprehensive Planning Meeting; our Flower Basket planting is April 12 and the Flower Basked hanging is May 12; Doylestown Pedestrian Shopping and Dining Zones begin April 14 and 15, and continue through October 7; Community Clean Up days are April 23 and June 11.

Moving into May through July, we have the 30th anniversary of Doylestown 5K Race on May 27, Juneteenth on June 18, Doylestown Pride Fest on June 17-25, and the Doylestown at Dusk Car Show on July 15.

This list does not include all our cultural/community events and anniversary celebrations. These are just some of the reasons we love living in Doylestown.

PUBLIC SAFETY - Mr. Frederick

1. **Borough Hall Emergency Action Plan.** Mr. Frederick said that the plan was revised to reflect the relocation of Borough Hall to 10 Doyle Street. He said that the Public Safety Committee has reviewed the plan and is recommending that Council adopt it. Mr. Frederick said that if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. Mr. Frederick said the other item was the **Doylestown Fire Company monthly report**, which was provided in Council's packet and is available to the public by following the packet link noted on this meeting's Agenda.

PUBLIC WORKS AND ADMINISTRATION - Mr. Browne

1. **2023 Milling Bids.** Mr. Browne said that on February 23, 2023, bids were opened for the milling of roads for the 2023 paving season. He said that it is recommended that the Borough award the Base Bid to the lowest bidder, A. Giuliani Equipment Co. Mr. Browne said that a tabulation of the bids was provided in Council's packet.

Mr. Browne said that the Public Works Committee reviewed the bids and is recommending that Council make a motion to award the bid to A. Giuliani Equipment Co. at a price of \$46,146.88, conditioned upon receipt of a properly executed performance bond and compliance with the bid specifications. Mr. Brown said that if Council wished to follow the recommendation, it could do so by motion. (Browne-Frederick)

Robert Kinney, Hillcrest Drive, asked if there was a list of roads going to be milled was available to that people who are affected know about it. Mr. Browne said that people are notified in advance and it is posted.

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

2. **2023 Landscape Maintenance Bids.** Mr. Browne said that on February 20, 2023, bids were opened for the 2023 Landscape Maintenance contract. Mr. Browne noted that a bids tabulation was provided in Council's packet. He said that it is recommended that the Borough award the Base Bid to the lowest bidder, Quality Landscapes and Hardscapes, LLC. at a price of \$50,380, conditioned upon receipt of a properly executed performance bond and compliance with the bid specifications. Mr. Brown said that if Council wished to follow the recommendation, it could do so by motion. (Browne-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. **Public Works Department Monthly Report.** Mr. Browne asked Mr. Ehlinger for his report. Mr. Ehlinger said that the Department's reports were provided in Council's packet. He said that the Department has gotten a jump on spring ballfield work and there have been some significant improvements to the dugouts. He noted that they are getting ahead on a bunch of water repair projects. Mr. Ehlinger said that they are also working on pre-paving work and they've also done some work on underground feeds to some streetlights that have corroded. He said with those things, along with a plurality of others, the Department has been busy.

Mr. Browne added that he saw the streetsweeper out much earlier this year than usual. Mr. Ehlinger said that with the milder weather, they were able to get a jump on the full town sweep which is an annual rite of spring in town.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

1. **2023 Farmers' Market License Agreement.** Mr. Bell stated that this agreement provides for the Saturday morning Farmers' Market on Hamilton Street by the Bucks County Foodshed Alliance. He said that all provisions of the agreement are unchanged from previous years.

Mr. Bell said that the Committee has reviewed the agreement and is recommending its approval. He said that if Council wished to follow the recommendation, it could do so by motion. (Bell-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Doylestown Pride Festival Rainbow Crosswalk Request.** Mr. Bell said that the Committee met in March and considered a request from the Doylestown Pride Festival that a decorative "rainbow crosswalk" be installed in the vicinity of the annual block party on East State Street. He said that the Pride Festival would cover the material cost of the installation.

Mr. Bell said that after discussion, the Committee is recommending that Council authorize the installation of a "rainbow crosswalk" on Printer's Alley at East State Street prior to the 2023 Pride Festival. He said that if Council wished to follow the recommendation, it could do so by motion. (Bell-Margolis)

Mr. O'Brien called for comments from the public and asked that the speaker approach the microphone and identify themselves. Numerous public comments both for and against the rainbow crosswalk were received from both residents and non-residents regarding the request.

After a lengthy comment period, the vote was called. All were in favor and the motion passed unanimously.

3. **Youth Leadership Recognition Program.** Mr. Bell said that the Committee reviewed the nominations for the 2023 Doylestown Borough Youth Recognition Program at its March meeting. He said that after discussion, the Committee is recommending two recipients of the inaugural award: Jackson Manning and Reese Grasso. He noted that the recipients will receive their awards at the April Council meeting. Mr. Bell said that if Council wished to follow the recommendation of the Committee, it could do so by motion. (Bell-Browne)

Public comment was given by resident Marlene Pray.

Mr. Bell added that many outstanding nominations were received and the Committee was very impressed with the youth here as indicated in those nominations.

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

ZONING AND PLANNING - Ms. Jarret

1. **Zoning Hearing Board (ZHB) Report.** Ms. Jarret asked Ms. Hyland for this report. Ms. Hyland said that the ZHB held a public meeting on March 15, 2023, to hear the following applications: 238 East State Street, by Cindy LoCasale and Robert LoCasale, who requested dimensional variances to permit a two-story addition to the rear of the existing house. She said that application was approved by the ZHB; the 353 East State Street application, which requests a dimensional variance from the lot width requirement, was continued to the April hearing. Ms. Hyland said that if that application is approved at the hearing, the next step would be for the applicant to submit an application for subdivision which would allow for the creation of two additional lots; and, an application for 201-205 Doyle Street, was also continued to the April ZHB hearing. She said it is a use variance request as well as a request for several dimensional variances that would enable the use of the property to have four dwelling units and some commercial space. Ms. Hyland said that the ZHB did make a recommendation to have the Borough Solicitor represent its interests during the hearing.

Mr. Davis said that a motion was needed to authorize the Borough Solicitor to attend the ZHB hearing to represent the Borough's interests with respect to the application submitted for 201-205 Doyle Street. Motion was made by Ms. Jarret, seconded by Ms. Margolis. With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Jarret said that at its regular monthly meeting, the HARB made the following recommendations: **Sign Application:** 150 South Main Street, Garrett Schad. The HARB recommended that Council approve the application as presented; and **Building Applications:** 139 East Oakland Avenue, the HARB recommended that Council approve the application as presented with an evergreen screening that will cover the fence and shield it from street view utilizing approved plant materials; and, the following three applications were recommended for approval as submitted: 211-213 East Oakland Avenue, Nicholas Gray; 106 East State Street, Wendy Connard; and 192 Lafayette Street, John and Megan Martino.

Ms. Jarret said that the Zoning & Planning Committee recommends that Council approve the applications in accordance with Staff's recommendation. She said that if Council wished to follow the Committee's recommendation, it could do so by motion. (Jarret-Livrone)

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** and 4. **Building Inspection Monthly Report**. Ms. Jarrett 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

Ms. Margolis said that the Committee did not meet and there was no report.

WATER UTILITY - Mr. Livrone

Mr. Livrone said that the Committee did meet, but there were no actionable items. He said that Chief Water Operator Matozzo reported that water usage, service calls, and projects for the month was pretty much normal. Mr. Matozzo said he was grateful for the fairly easy winter with fewer emergencies such as frozen pipes and broken water mains.

Mr. Livrone reported that National Water Specialities Company gave a presentation about backflow prevention systems. The representative advised that Pennsylvania law requires protection of water supplies from cross connections and water backflow problems, meaning that the Borough is ultimately responsible to make sure property owners have backflow preventers installed, that they are working correctly, and that they are inspected as required. National Water Specialities would be able to provide a service to the Borough free of charge which includes a commercial and residential database. In the future, starting with commercial properties, the backflow preventers would be installed at a nominal fee to the customers. Both Mr. Matozzo and the Committee felt comfortable with the program and the plan. Details on the company's program will be provided to Council when it is received.

Mr. Livrone next advised that at the Committee's April meeting, they will be reviewing a report by the Borough's Water Engineer, CKS, which will contain research and information about PFAS testing in the Borough. Residents will be kept informed through our website and whatever means necessary.

Mr. Davis reminded everyone that if you visit the Borough's website, there is a drop-down "I Want To" with a link to "Learn about PFAS". The page not only provides environmental information, but also state and federal regulations which change practically day to day, and information on what steps the Borough has taken to this point, which is updated as steps are taken. He said this is a serious and potentially costly issue that is going to affect the entire country.

Lastly, Mr. Livrone noted that Chief Water Operator Matozzo and Manger Davis will be attending a Pennvest conference which is coming up soon. Pennvest is an agency at state level which provides grants and loans for addressing these kinds of problems.

FINANCE/PENSION - Ms. Popkin

Ms. Popkin reported that the Committee did not meet, but as an update, stated that five proposals have been received in response to our RFPs that were sent out. Those proposals will be reviewed at the April Committee meeting.

Ms. Popkin then called upon Ms. Brinker for the 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 \$669,931.83. A motion was made to approve the report

(Popkin-Jarret) 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. **Appointments to Volunteer Boards.** Mr. O'Brien said that on March 9, 2023, the Personnel Committee met to interview candidates to fill various board/commission vacancies that were not filled in January. He said that as a result of the interviews, the Committee is recommending the following appointments:

<u>Board/Commission</u>	<u>Applicant</u>	<u>Term</u>
Environmental Advisory Council	Dan Ford	Partial Term, 3/23-12/24
Fanny Chapman Pool Board	Rebecca Masters	Full 3-Year Term, 3/23-12/25
Shade Tree Commission	Jean Weston	Full 5-Year Term, 3/23-12/27

Further, Mr. O'Brien reported that the Committee is also recommending that former Mayor Ron Strouse be appointed to fill the Vacancy Board vacancy created by Mr. Cowgill's appointment to Council, for a term ending December 31, 2023.

Mr. O'Brien said that if Council wished to follow the Committee's recommendations as stated above, it could do so by motion. (O'Brien-Livrone)

Mr. Livrone commented that although not on the Committee, he sat in on the interviews, and these are three very top quality people.

With no further 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 - Mr. Closser: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Knott said the report was provided. The monthly activity report showed there were 932 incidents in the Borough in February 2023, and year-to-date, the Department spent \$916,738.9, and were at 13.42% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT

Many Linden Elementary School supporters were in attendance and asked Borough Council to consider passing a resolution urging the Central Bucks School Board not to close the school and to consider other alternatives. The supporters articulated how the school is a vital and vibrant part of the community. Serious concern was also expressed by the speakers about what was deemed

as a lack of transparency from the School District since the matter was first broached last fall. At that time, there was promise of a public meeting where the community could ask questions and provide input, but no such meeting has taken place.

In the midst of the comments regarding Linden, there was a request by a Plumsteadville resident that a School Resource Officer (SRO) be deployed at Central Bucks West High School.

At the end of the lengthy Linden issue comment period, President O'Brien asked the Council's Community and Government Affairs Committee to look into the issue at their next meeting on April 10, 2023, at 6 p.m., to determine what action the Borough might take.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 9:12 p.m., President O'Brien asked for a motion to adjourn the meeting in the memory of Dominic Testani, the son of Linden Elementary School's principal, who died in a boating accident this past weekend. (Margolis-Browne) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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