

May 15, 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 Andrew Griffin, 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. Mayor West presented a plaque to Anthony R.C. Hita for his service on the Historical and Architectural Review Board, 2020-2023. Mr. Hita said thank you and gave remarks.

2. Mayor West presented Certificates of Appreciation to Mason Lange, Student Member of the Board of Managers of the Fanny Chapman Swimming Pool, May 2022-April 2023; William Shandlay, May 2021 through April 2022, and then Student Member of the Human Relations Commission from May 2022 through April 2023; and, Brooke Wassmann, Student Member of the Shade Tree Commission from May 2021 through April 2022, and then Junior Councilperson from September 2022 through this evening's meeting. Each recipient gave thanks for their certificate and made remarks.

3. Glenda Childs, owner of the Doylestown Bookshop, was presented with a Certificate of Appreciation for her contributions to the community on the occasion of the Bookshop's 25th Anniversary. Ms. Childs said thank you and gave remarks.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **March 20, 2023 Council Meeting Minutes**. (Margolis-Frederick) The vote was called and the minutes were unanimously approved.

Mr. O'Brien then called for a motion to approve the **April 17, 2023 Council Meeting Minutes**. (Margolis-Jarret) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

The Mayor reported that May 27 is the 30th anniversary of the Five K Race and the Memorial Day Parade is May 29; and, the Pride Festival team is hard at work and there will be a raising of the flag on June 1, at 6 p.m., first at the Courthouse and then at Borough Hall, followed by the block party on June 24. She also thanked everyone who came out to save Linden Elementary School, "It worked."

PUBLIC SAFETY - Mr. Frederick

1. **Consideration of Ordinance No. 2023-4, Creating a Free 15-Minute Parking Space at 80 North Main Street.** Mr. Frederick said the 15-minute free parking space will replace an existing three-hour metered space. Council, at its April 17, 2023 meeting, authorized the drafting and advertisement of the ordinance, and the ordinance has since been properly advertised.

Mr. Frederick said that the Public Safety Committee is recommending that Council adopt the ordinance. Motion to adopt Ordinance No. 2023-4 was made (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. **Consideration of Ordinance No. 2023-5, Creating Residential Permit Parking on Harvey Avenue Between Union and Doyle Streets, with no parking for non-residents between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday.** Council, at its April 17, 2023 meeting, authorized the drafting and advertisement of the ordinance, and the ordinance has since been properly advertised.

Mr. Frederick said that the Public Safety Committee is recommending that Council adopt the ordinance. Motion to adopt Ordinance No. 2023-5 was made (Frederick-Margolis). 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 Ordinance No. 2023-6, Creating a No-Parking Zone on Doyle Street Between Broad Commons and Main Street.** This ordinance creates a no-parking zone on Doyle Street for a distance of 180 feet west from Main Street and a two-hour maximum parking limit from 9:00 a.m. to 5:00 p.m., Monday through Friday. Council, at its April 17, 2023 meeting, authorized the drafting and advertisement of the ordinance, and the ordinance has since been properly advertised.

Mr. Frederick said that the Public Safety Committee is recommending that Council adopt the ordinance. Motion was made to adopt Ordinance No. 2023-6 (Frederick-Browne).

Mr. Davis clarified that the proposed no parking is on Doyle Street, from Main Street 180 feet to the west and then from that point another 360 feet or basically to Broad Commons is a two-hour, 9 a.m. to 5 p.m., Monday through Friday parking zone, so there are two different restrictions on that stretch.

Bob Kinney questioned the exact location of the restrictions and an explanation was provided.

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

Lastly, Mr. Frederick said there is usually a **Doylestown Fire Company monthly report**, but it was not provided this month. Mr. Davis said he would check into that.

PUBLIC WORKS AND ADMINISTRATION - Mr. Browne

Mr. Browne reported that the Committee did not meet, but commented that the flower baskets went up this weekend which look wonderful, and he saw some line painting going on.

Mr. Browne asked Mr. Ehlinger for any comments he had. Mr. Ehlinger provided a report on the Department's completed and upcoming workload, including the 2023 paving schedule.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell reported that the Committee did meet, but there were no actionable items. He reiterated the Mayor's comment that the Pride Festival festivities' kick off is June 17, but the actual recognition of Pride Month starts on June 1 with a 6 p.m. flag raising at the County Administration Building. He also commented that he hoped everyone would come out to our amazing Memorial Day Parade.

ZONING AND PLANNING - Ms. Jarret

1. **Consideration of Ordinance No. 2023-7, Adding Steep Slope Regulation to the Subdivision and Land Development Ordinance.** Ms. Jarret said this ordinance amendment prohibits disturbance of slopes greater than 10% that span for more than 30 feet. She said that the Zoning & Planning Committee recommends adoption of the ordinance. Motion to adopt Ordinance No. 2023-7 was made (Jarret-Livrone). 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.** Ms. Jarret deferred to Ms. Hyland, who said that the Zoning Hearing Board will hold a public meeting on May 17, 2023, at 7 p.m., to hear an application for 189 South Main Street, which requests a special exception to convert their lower level commercial space into a dwelling unit which would then change the use of the property to a multi-family low rise. She said that in addition to that request, they are requesting variances from several dimension requirements.

3. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Jarret said that at its regular monthly meeting, the HARB recommended the following: **Sign Application** for 30 East Oakland Avenue, Raymer's Candies - approval of the application as presented with the recommendation that the dimensions of both vertical signs be 26" by 120"; and, **Building Applications** for 57 West Court Street, demolition and new construction - approval of the demolition component of the application as presented. Design for the proposed new construction is continued as agreed to by the applicant, 75 West Ashland Street, roof and deck replacement, approval of the application as submitted, 299 Maple Avenue, approval of the application as submitted, 238 East Court Street, building addition and window replacement amendment, approval of the amended application as submitted with the modified hip roof on the side as appropriate to avoid conflict with the existing roof, 115 Cottage Street, window replacement, approval of the application as submitted with the condition that replacement windows be 2 over 2 with grills and

spacer bars, and, 82 North Hamilton Street, chimney removal, approval of the application as submitted.

Ms. Jarret said that the Zoning & Planning Committee recommends that Council approve the applications in accordance with the HARB's recommendations. The motion was so made (Jarret-Margolis). 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** and 5. **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, but noted that the Shade Tree Commission had a successful tree give away and the EAC began the 60-day period to advertise the bag ban which takes full effect on June 23. She also said that as an Earth Day project, the EAC and some others went around to various businesses to distribute signage, which was also successful.

WATER UTILITY - Mr. Livrone

1. **CKS/ARRO Professional Services Agreement**. The Borough's long-time Water Engineer, CKS Engineers, recently merged with ARRO Consulting Company. Previously, CKS has not had a formal professional services agreement with the Borough, but is requesting one now per ARRO policy.

Mr. Livrone said that the Solicitor and Staff have reviewed the proposed Agreement and have no objections. The Water Utility Committee and Staff are recommending that Council approve the Professional Services Agreement. Motion to approve the agreement was made (Livrone-Frederick). With no 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 Establishing Requirements for Construction of Water Mains and Appurtenances**. This ordinance codifies the technical manual known as the "Standard Specifications for Construction of Water Mains and Appurtenances" recently created by the Water Engineer and Chief Water Operator. Mr. Livrone said that the Committee is recommending that Council authorize the advertisement of the ordinance. Motion to advertise the ordinance was made (Livrone-Browne). With no 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: Cross-Connection Control Program**. This ordinance creates an EPA mandated cross-connection control program for the Borough's water customers to determine potential cross-connection hazards and enforce rules regarding installation and testing of backflow prevention assemblies. The intention is to enter into an agreement with a third party to implement the program under the Borough's supervision.

Mr. Livrone said the Water Utility Committee is recommending that Council authorize the advertisement of the ordinance. Motion to advertise the ordinance was made (Livrone-Browne). With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

FINANCE/PENSION - Ms. Popkin

1. **Consideration of Resolution No. 2023-7, Amending the Sterling Act.** Ms. Popkin said that this resolution requests amendment of the Sterling Act to require that up to one percent of earned income paid by non-residents to the City of Philadelphia and collected under the requirements of the Philadelphia Wage Tax, be remitted to the municipality in which the taxpayer resides if that municipality has enacted an earned income tax.

Ms. Popkin said that the Committee reviewed this information at their May 11, 2023 meeting and are recommending the resolution be adopted. Motion to adopt Resolution No. 2023-7. (Popkin-Jarret) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. Ms. Popkin 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 \$785,291.75. A motion was made 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

Mr. O'Brien had no report. He asked Mr. Ehlinger if they were fully staffed for summer. Mr. Ehlinger replied that they are, with four, but if there's a good candidate to pass them along.

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 938 incidents in the Borough in April 2023, and year-to-date, the Department spent \$1,781,037.39, and were at 26.08% of their yearly budget.

PRESIDENT'S REPORT

Mr. O'Brien reported that May 14-20, 2023 is National Police Week. He expressed appreciation to the men and woman and our K-9 Officers of the Central Bucks Regional Police Department for all they do for us. "These men and women work hard every day to keep our community safe. Thank you for all you do."

OLD BUSINESS: None.

NEW BUSINESS

Mr. Browne congratulated the Doylestown Dragons Girls Rugby Team which is going to compete in the state finals in Reading this Saturday and to the Junior Boys' team which is also in the state finals this weekend.

Mr. Browne said that he was proud to announce that his daughter, Megan Browne, a former Borough Student Member of the Parks and Recreation Committee, graduated from the University of Rochester this past weekend where she was one of only seven to receive the Dean Josephine C. Asbury Award for commitment to community work. He said that it was Megan's involvement on our Park and Recreation Board that encouraged him to apply for the Environmental Advisory Council. Mr. Browne said Megan has taken a job as a medical case worker in Rochester, and he's a very proud dad.

Ms. Margolis encouraged everyone to get out and vote in the primary election tomorrow, between 7 a.m. and 8 p.m.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:32 p.m., President O'Brien entertained a motion to adjourn (Frederick-Browne). The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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