

May 16, 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 Tim Brennan, Larry Browne, Dennis Livrone, and Amy Popkin. Also present were Mayor Noni West, Junior Councilperson Mary Frances McNulty, Borough Solicitor Ernest Closser, Central Bucks Regional Police Department Police Captain Robert Milligan, 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. Councilpersons Ben Bell, Joe Frederick, and Jennifer Jarret were absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

Youth Recognition. Mayor West first thanked our out going Junior Councilperson Mary Francis McNulty for bringing to Council's attention a need to acknowledge youth who are contributing to our community. She then thanked Councilperson Larry Browne for pointing out that we have student members of our Boards and Commission who leave their volunteer service to the Borough with little fanfare. The Mayor thanked Councilperson Jen Jarrett for drawing our attention to an overachiever who is already learning to apply for grants to implement his vision for the future.

Park and Recreation Board Chair James Lannon presented a Certificate of Appreciation to Student Board Member Jackson Laing, and Human Relations Commission Chair Fred Stanczyk presented a certificate to Ellen Winters, for their service on the respective boards from May 2020 through April 2021.

Mayor West presented a Certificate of Appreciation to Carter Philo, for obtaining a grant from Bowman's Hill Wildflower Preserve to establish a native garden at Doyle Elementary school to educate youth and the community to the importance of native plantings.

Mayor West next addressed Mary Frances McNulty, who was a Student Member of the Historical and Architectural Review Board from May 2020 to April 2021, and then Junior Councilperson from September 2021 through this evening. She thanked Ms. McNulty, who she said read and scrutinized every new ordinance that came before Council and also came up with ideas Council hadn't thought of before. The Mayor said that Ms. McNulty is going to work this summer as an intern for Congressman Fitzpatrick's office and when Ms. McNulty asked her for a recommendation, the Mayor wrote to the Congressman's office that they would benefit from Ms. McNulty being an intern for them as much as she would benefit being intern for them. Mayor West then presented Ms. McNulty with a Certificate of Appreciation.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **April 18, 2022 Council Meeting Minutes**. (Browne-Margolis) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Mayor West reported the following:

This weekend I attended the Teen Youth Festival at Freeman Hall where I saw art and heard music from talented youth in our area. Doylestown was visited by the Governor's Executive Director of Asian-Pacific American Affairs, the celebration of the end of Ramadan at the Mercer Museum. Volunteers hung our flower baskets. There was a rally at the Courthouse for a woman's right to make her own reproductive decisions.

A day of remembrance as part of National Dementia Awareness Month is scheduled in our new park for May 25 at 5:30; the 10th anniversary celebration of the community Labyrinth at the Michener Museum is scheduled for June 18 at 10 am; the Borough will raise the Pride Flag at the monument at Court and Main and at Borough Hall on June 1 to launch Pride Month and its festivities; and of course, we are on the verge of our long-standing Memorial Day Parade on May 30.

Doylestown is vibrant and alive. But among our events, celebrations and dedications, there is unrest in our community, and it is being driven by happenings in the Central Bucks School District. Last week there were four days of student protests at Lenape Middle School. From my vantage point, unrest has been percolating for some time. Last week's protests were specifically triggered by the suspension of a respected teacher shortly after he acted to support to a transgender student. The School Superintendent is calling this a "false narrative," but my understanding is that he has yet to clarify the specific reason for the suspension. The removal of Pride flags from classrooms and protesters has added to student discontent, and I would think the prospect of banning books is not helping. Nor the discontinuation of the District's relationship with CBCares. COVID has certainly contributed to anxiety and unrest.

In response to peaceful student protests our Regional Police were called to monitor them protests. They were also called because the administration was alarmed by students delivering lunch-time pizzas donated by local businesses for protesting students. Lenape's Principal threatened students with police action if they posted videos or pictures. Parents and students are understandably stressed and angry. I know there was a community conversation at one of our churches yesterday.

The Borough has no impact on the policies of the Central Bucks School District. What I want to do this evening is to remind or inform everyone that the Borough has a tool to address civil rights violations. In 2010 we enacted an ordinance that formed our Human Relation Commission, called the HRC. It was originally enacted to protect LGBTQ rights, since state regulations do not, but it covers discrimination and harassment for all individuals. Here is the HRC's mission statement: "The Human Relations Commission shall work toward the elimination of discrimination and

unlawful harassment, and foster greater understanding, inclusion, and justice for those who live, work, study, worship, travel, and play in the Borough of Doylestown.”

If the community, including students, in our Borough are experiencing violations of their human rights, they can report the situation to the HRC by calling the Borough at 215.345.4140. Ask for John Davis, our Borough Manager, who will take you through the process. Complaints need to be filed on a prompt basis. Once a complaint is filed, the HRC will start a mediation and deliver findings and recommendations.

The HRC meets every month on the fourth Wednesday. This month the meeting is Wednesday, May 25 at 7 pm. In light of what has been happening in our community, I encourage concerned residents to attend the meeting and discuss the situation. School District administrators cannot ignore the rights of students, including their First Amendment right of peaceful protest.

PUBLIC SAFETY - Mr. Frederick

In Mr. Frederick’s absence, Mr. O’Brien said that the only item was the **Doylestown Fire Company monthly report**, which showed 25 incidents, most of which appeared to be smoke detector activations.

PUBLIC WORKS AND ADMINISTRATION - Mr. Browne

Mr. Browne stated that the committee did not meet this month. He noted that 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 whether he had anything to add. Mr. Ehlinger reported that the department is shifting gears from park building to spring maintenance and preparing for the paving season; they’re working on several major water projects, which included an overnight repair on Swamp Road which was successful, and they are also doing a pretty significant dig tomorrow on the water system. Mr. Ehlinger noted that the department is also doing the annual landscape maintenance in-house this year due to the inability to get a contractor, and the upside to this is that there is a significant financial savings to the Borough of almost \$20,000.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

In Mr. Bell’s absence, Mr. O’Brien stated that the committee did not meet and there was nothing to report.

ZONING AND PLANNING - Mr. Brennan

1. **Zoning Hearing Board Report.** Mr. Brennan deferred to Ms. Hyland, who reported that the Doylestown Borough Zoning Hearing Board will hold a Public Meeting on May 18, 2022, at 7 p.m., to hear the application of ZHB #2022-12, 339 South Main Street, by Peoples Security Bank and Trust, which requests signage variances for size and location; it’s somewhat of a blanket request for several sections to cover all of their bases. She said that the Zoning and

Planning Committee recommended that Council authorize the Borough Solicitor to represent the Borough's interests with respect to the one proposed monument sign for visibility reasons. Ms. Hyland said a letter was received from the applicant's attorney who has requested to bifurcate the application as they would like to move forward with all of the signage this Wednesday, with the exception of the monument sign as they would like to take some time to work that out and present it to the Zoning and Planning Committee again so that recommendation could potentially be withdrawn at that time.

Mr. Brennan asked if action was needed this evening to get the Solicitor there or wait and withdraw that until we see the subsequent proposal. Ms. Hyland replied that there is not another Council meeting before next month's Zoning Hearing Board meeting, which means the full Council would not have an opportunity to see any revised drawings that may be presented so if there is a request for representation, now would be the time to do it.

Mr. Brennan said that to give all Council members an idea of what the concern is, it is a rather large sign right on Main Street and there were some safety concerns and the size of it.

Mr. Brennan said that the Zoning and Planning Committee recommends that Council authorize the Borough Solicitor to represent the Borough's interests with respect to ZHB#2022-12, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Brennan-Browne). 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 Recommendations. Mr. Brennan said at its regular monthly meeting held on April 28, 2022, the Borough of Doylestown Historical & Architectural Review Board (HARB) recommended the following: there were two sign applications and several building applications including 355 Maple Avenue, for a roof, 189 South Main Street, for siding, 338 West Court, for a roof, 300 Maple Avenue, for a garage, and 50 North Main Street, for a garage and sign.

Mr. Brennan said that the Zoning and Planning Committee recommended that Council approve the applications in accordance with HARB's recommendations with an added condition on the application for 21 North Main Street. He said that if Council wished to follow the Committee's recommendation, it can do so by motion. (Brennan-Browne) 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.** Mr. Brennan 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 she did have one item to report, which is the **Fanny Chapman Dive Pool Structural Repairs**. She that in July 2021, during the facility inspection by our insurance carrier, Delaware Valley Property & Liability Trust, areas surrounding

the dive pool at Fanny Chapman were identified as needing structural repairs. She said that the first phase of repairs involves the installation of temporary shoring along one wall of the pool, and is being installed May 12, 2022. These temporary measures will ensure a safe summer of 2022. Ms. Margolis said that Phase 2 of the repairs will involve Type 2 concrete repairs, carbon fiber structural repairs and epoxy injection at various locations. The temporary shoring will be reused and relocated as part of the repairs.

Ms. Margolis said that the estimated cost of the repairs is less than \$100,000. Fanny Chapman currently has approximately \$550,000 in their Reserve Fund. She said that the Fanny Chapman Pool Board is seeking Borough Council's authorization to advertise bids at their May 16, 2022 meeting. She said the bid opening and award schedule anticipates a bid opening on July 19, 2022 and an award by Borough Council on August 15, 2022, with construction to commence mid-September after the pool season.

Motion to authorize bid advertisement. (Margolis-Brennan)

Mr. O'Brien said the estimated cost is \$100,000. He asked what happens if the bid comes in significantly over that, do we have the option to reject it? Mr. Davis said yes, the bid can be accepted or rejected. He said the Pool Board would review it and we would get a report from the engineer as to why it is overbid.

Ms. Margolis asked if they are meeting now since the Memorandum indicates May 16. Mr. Davis responded that May 16 is Council's meeting. He said the engineer requested not to wait until Council's June meeting because they want the extra time to get the bid out and construction really has to start the day after Labor Day so they can squeeze in as much construction time as possible before next season.

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

In Ms. Jarret's absence, Mr. Livrone reported that the Committee met and in addition to Mr. Ehlinger's report regarding some of the system issues being repaired, they were given a really good report from Water Director Jeremy Matozzo which included that good progress is being made on hydrant flushing which is a necessary annual item. They were also given an update on the installation of new water meters in Borough. Mr. Livrone said the Spruce and Maplewood water storage tank and inspections were discussed and there will be more to come on that in the future as it is a significant expense. Lastly, Mr. Livrone noted that Mr. Matozzo would be walking Council through the water system on Thursday, June 2, 2022, at 4:30 p.m. and all of Council should have received that invitation.

FINANCE/PENSION - Ms. Popkin

Ms. Popkin reported that the committee did not meet this month, but Council does need to approve the bills to be paid totaling \$250,736.49. The total of all funds expended was

\$743,472.98. 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.

Mr. Davis said we did receive a follow-up proposal for production services for the streaming of Council meetings and that will be going to the Finance Committee next month and then something will be presented to Council.

PERSONNEL - Mr. O'Brien: No report.

PROFESSIONALS' REPORTS

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

Solicitor's Report - Mr. Closser: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. Captain Milligan: no report. The CBRPD monthly activity report showed there were 1033 incidents in the Borough in April 2022, and year-to-date, the Department spent \$1,780,173.94 and were at 27.17% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS:

Mr. Brennan thanked Junior Councilperson McNulty for her service and noted what a wonderful job she did. Ms. McNulty thanked Mr. Brennan. She said she found it hard to believe that her time on Borough Council is coming to an end. She said she thoroughly enjoyed serving as Junior Councilperson. She thanked all Council Members, Mayor, and Staff for being so supportive of her over the past several months. Ms. McNulty said that the residents of Doylestown Borough are so fortunate to have such a dedicated group of officials serving the community. She said she will be attending college at LaSalle this fall and has hopes of periodically attending future Council meetings if her schedule permits.

Ms. McNulty thanked everyone again for the Junior Councilperson opportunity and for all they do to make Doylestown Borough the best it can be.

Mr. O'Brien noted that Ms. McNulty was the most actively involved Junior Councilperson he has had the opportunity to work with and he thanked her for her service.

Mr. Davis commented that Ms. McNulty was the first Junior Councilperson to conceive, present, and have a program implemented - in this case a youth recognition program which we've never had before.

Lastly, Mr. Brennan thanked Mayor West for her thoughtful comments on our nondiscrimination law. He said there are so many places in Pennsylvania where some types of discrimination is permitted and it's a reminder that protection from discrimination should not be based on your zip code and he's glad that our zip code is willing to protect people.

NEW BUSINESS:

Mr. Browne congratulated the Doylestown Dragons Girls Rugby Team which is going to the state championships in Berks County this coming weekend. He said the team is high school aged girls, who are pretty tough rugby players.

Mr. Browne then congratulated Steve Downs of the Fire Company, who was voted firefighter of the year. He said it was well-deserved, Mr. Downs is “a force of nature,” and he’s one of the most positive people he knows.

Mr. Browne noted that annual Ride of Silence is being held this Wednesday at CB West.

Lastly, Mr. Browne noted that on May 25, Doylestown Historical Society is having a video premier of our Emeritus Mayor presentation called “Ron L. Strouse, Doylestown Son”. He said information on that can be found on the Doylestown Historical Society’s website.

Ms. Margolis reminded everyone that tomorrow is Election Day and she hoped that everyone would get out and vote.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:31 p.m., President O’Brien entertained a motion to adjourn. (Browne-Brennan) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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