

February 27, 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, Borough Solicitor Andrew Griffin, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Manager John Davis, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, and Building and Zoning Karyn Hyland. Finance Director Caroline Brinker was absent due to her attendance at the Fanny Chapman Pool Board meeting. Junior Councilperson Brooke Wassmann was also absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

Brian Guerriero joined Mayor West on the floor. The Mayor said that Mr. Davis had handed her an undated paper labeled "Burpee Pavilion Rehabilitation Volunteer Proposal," which said "Burpee Pavilion has had a recent interior renovation, but the exterior needs care and updating. A large front landscaped area was previously maintained by a resident as part of a memorial garden, but as of three years ago, that resident no longer takes care of the property." The Mayor said there are then proposals which state, "I am Volunteering Landscape Proposal" and "I am Volunteering Painting and Light Fixture Proposal."

Mayor West said she went to the Burpee Park Pavilion today to see the effects of Mr. Guerriero's efforts and they were very impressive and consequential for the Borough.

The Mayor then presented a Certificate of Appreciation to Brian Guerriero honoring his volunteer service and contribution to the Borough through his rehabilitation of the Burpee Park Pavilion. She said that his exterior renovations including power washing, painting, whitewashing, signage, and landscaping improves our community and is testimony to the value of his volunteerism. She thanked Mr. Guerriero.

Mr. Guerriero gave a special thank you to the Goldman Law Firm for their generous support. He said he underestimated the expense of landscaping plants and they assisted. He also thanked his daughter, Avery, for pointing out any painting areas he missed.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **January 23, 2023 Council Meeting Minutes**. (Margolis-Browne) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT: No report.

PUBLIC SAFETY - Mr. Frederick

Mr. Frederick said the only 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

Mr. Browne reported that the Committee did not meet and he had no report. He said that since Mr. Ehlinger was not yet present, there was nothing further.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell noted that there were only two days left to submit nominees for the Youth Recognition Program. He said they have received several very qualified applications, but they are looking to receive more by March 1.

ZONING AND PLANNING - Ms. Jarret

1. **Zoning Hearing Board Report.** Ms. Jarret said that the Zoning Hearing Board met on February 15, 2023, to hear the application of Lisa Peruto Broad, 33 East Ashland Street, and they did not feel it necessary to send the Borough Solicitor.

2. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Jarret said that at its regular monthly meeting, the HARB heard the following building applications: 241 West Ashland Street, the HARB recommended that Council approve the application as presented with the following conditions: the homeowner will need to use wood with aluminum cladding windows as opposed to the proposed vinyl windows, and there needs to be lattice used to enclose under the porch and architectural appropriate lighting; and, 1 Scout Way, Washington Crossing Council – BSA, the HARB recommended that Council approve the lighting plan application as presented.

Ms. Jarret said that the Zoning & Planning Committee recommends that Council approve the applications in accordance with the HARB’s recommendations, and 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

1. **SandYard Youth Volleyball Program Agreement.** Ms. Margolis said that this agreement is for SandYard Volleyball Club to offer a free youth sand volleyball program at

Chapman Park in partnership with the Borough. She said that the Park and Recreation Board and the Environment and Recreation Committee are recommending that Council approve the agreement, and if Council wished to follow the recommendation, it could do so by motion. (Margolis-Jarret) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Historical Society Park Improvements.** Ms. Margolis said that provided were plans prepared by the Doylestown Historical Society (DHS) for Historical Society Park, a public park contiguous to DHS. She said that DHS is proposing to refurbish the park with new landscaping and other improvements at its own expense with the Borough's contribution limited to in-kind services. Ms. Margolis said that DHS is asking for Borough Council's approval of the plans in order that they can begin fundraising for the project.

Ms. Margolis said that the Environment and Recreation Committee has reviewed the plans and is recommending approval, and if Council wished to follow the recommendation, it could do so by motion. (Margolis-Jarret)

Former Mayor Ron Strouse said he was present representing DHS, along with Jeff Toner, Chairman of the Board of Directors of DHS. He said they are excited to embark on this with cooperation from the Borough. Ms. Margolis and Mr. O'Brien said the Borough is excited as well. Mr. O'Brien added that this is an absolute contribution to the community and he thanked them.

Ms. Popkin said that she's been walking through the park each morning and she loves the plans for it.

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

3. **Doylestown Lions Club Annual Summer Concerts.** Ms. Margolis said that the Doylestown Lions Club approached the Borough about the relocation of their annual summer concert series featuring the Doylestown Community Band and Doylestown Heat to Broad Commons Park. She said that the concerts have been held on the old courthouse lawn for many years. Ms. Margolis said that the concerts will take place on Thursday evenings in July, and possibly June 29, from 7:00 p.m. to approximately 9:00 p.m.; no stage is required and the Lions will provide all other equipment.

Ms. Margolis said that the Environment and Recreation Committee and the Park and Recreation Board are recommending that Council approve the request. She said that if Council wished to follow the recommendation, it could 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.

4. **Consideration of Resolution No. 2023-4, Participating in Bird Town Pennsylvania.** Ms. Popkin said that this resolution accepts the initiatives of Bird Town Pennsylvania and authorizes the Environmental Advisory Council to serve as the Borough's agent for Bird Town Pennsylvania. She said the Environment and Recreation Committee is recommending adoption of

Resolution No. 2023-4 and if Council wished to follow the Committee's recommendation, it could do so by motion. Ms. Margolis made the motion and also commented that this is the result of a repurposing of Bird Town of which the Borough has been a member. She said that Bird Town has changed management, so this is basically housekeeping. The motion was seconded by Ms. Jarret. With no further comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

Lastly, Ms. Margolis announced that the Arbor Tree Giveaway day is Saturday, April 29, at the Farmers' Market. She thought there were still a few time slots left if anyone wanted to volunteer.

WATER UTILITY - Mr. Livrone

Mr. Livrone reported that there was no formal report, but wanted to provide an update on a few items from their February 14 meeting. He said that our Chief Water Operator, Jeremy Matozzo, reported that there has been a significant increase in the number of meter transmitters being replaced, which is beneficial for the department. He said that Mr. Matozzo also spoke of a need for an additional full-time operator at some point in the near future, which was discussed. Further, Mr. Livrone said that Mr. Matozzo is working on ways to identify and track the water supply line materials that service our homes, specifically whether the pipes are lead, galvanized, copper, or plastic.

Mr. Livrone said that the Well 10 upgrade is moving along. He said that new tanks will be installed soon and inspected by DEP prior to them being put into use. He said that once that's done, the lead and copper testing for the new DEP rule will be completed before a permit is received.

Mr. Livrone reported they also discussed the PFAS situation. He said DEP recently announced the official maximum contaminate levels set for PFAS. Mr. Livrone said we will have to start our official monitoring in the first quarter of 2024. He indicated a report is awaited on the PFAS situation and how to proceed from our Water Engineer, CKS.

Lastly, Mr. Livrone said that the Maplewood tank rehab project is moving ahead and that money was budgeted for that in this year's budget. He said whether or not we get a grant, that project will be moving forward.

FINANCE/PENSION - Ms. Popkin

1. **Request for Proposals of Banking Services.** Ms. Popkin said that provided was a Request for Proposals ~ Banking Services which was prepared at the direction of the Finance and Pension Committee. She said that since it has been more than 13 years since the Borough sought proposals for these services, the Committee and Staff felt that it would be prudent to do so at this time. She said that C&N Bank, formerly Covenant Bank and Milestone Bank before that, currently handles banking services for the Borough. She said the RFPs are being sent to six different banks.

Ms. Popkin said that the Finance and Pension Committee is recommending that Council authorize the issuance of the RFP, and if Council agreed, it could do so by motion. (Popkin-Jarret)

Robert Kinney, 225 Hillcrest Drive, said that Ms. Popkin just said that RFPs were sent to six different banks. Ms. Popkin said we will be sending them out upon Council's approval. Mr. Kinney asked if other banks will have the opportunity, like a public notice of the Request for Proposals for other banks. Ms. Popkin responded that there certainly would be. She said the Finance and Pension Committee did review all of the banks in the Borough and they came up with a list of about six banks. Further, she said she received an email from First Bank on South Main Street requesting the RFP, so that will be taken care of. Ms. Popkin said if anyone knows of any banks that would like to give us a proposal, the Committee would be happy to review that.

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

2. **Municipal Energy Request for Procurement (RFP).** Ms. Popkin said that Doylestown Borough's four-year agreement with Constellation NewEnergy, Inc. for our municipal energy procurement expires at the end of February 2023. She said that with the deadline approaching, the Borough partnered with Mantis Innovation to prepare a RFP for our municipal energy needs with the goal of obtaining the best possible pricing. Ms. Popkin said that the results of the RFP were provided.

Ms. Popkin said that Mantis Innovation is recommending "Option A", a 36-month agreement with UGI Energy Service, for our energy service needs. She said that although this represents a significant increase in our current costs, it is unfortunately reflective of the current wholesale market. She said the 36-month term puts us in the best position for a favorable renewal.

Ms. Popkin said that if Council wished to follow the recommendation, it could do so by motion. (Popkin-Livrone)

Mr. Bell said he observed while the RFP for the banking services was being approved that, by contrast, the process that was followed for this RFP seems to have followed a very different trajectory. He asked whether Council had the opportunity to review this RFP before it went out and, perhaps more importantly, when the proposals came back, did anyone see the full proposals.

Mr. Davis replied that there was a relatively short time frame between our notice from Constellation that our agreement was expiring and giving us their pricing which was significantly higher than this proposal and the time, which is basically tomorrow, that we would need to renew or default to PECO's default pricing which is considerably higher. He said at that point, other municipalities were polled as to what their processes were since last time they all rolled over to Constellation. Mr. Davis said we received a recommendation for Mantis as an intermediary knowing the market, could obtain prices for us in a relatively short fashion, and had gotten some good rates for other municipalities here in the area. He said Mantis was contacted and was asked to do what amounted to, he supposed, a RFP and then get back to us with their recommendation

from the varying terms. Mr. Davis said that part of it was motivated by the type of RFP it is - an energy procurement which we require an intermediary for as we don't even know the players and secondly, there was the relatively short time frame that we had.

Mr. Bell applauded Staff for getting the most competitive pricing possible under the current conditions. He asked with regard to the results from the comprehensive plan survey, if it turns out that it suggests Borough residents are interested in quality of life and sustainability that prior to embarking on the renewal 36 months from now that the Environment and Recreation Committee have a chance to explore setting minimal thresholds for renewable sources. Mr. Davis replied that Mantis and other similar brokers can work with us to set parameters on various types of energy. Mr. Davis said he knew in this case, it would have resulted in higher pricing, and he thought it generally does, but Council would need to weigh the costs and benefits of that. He said with the time constraints here, they concentrated on the rate itself, which rates change day to day. Mr. Davis noted that today's rate is .0690, which is slightly different than what is shown on the Mantis report. He said Council has the option of not moving forward with this tonight and tabling the matter, accepting PECO's rate for the number of months it would take to set parameters for an RFP and to examine the possible terms. Mr. Davis said that Mantis currently recommended 36 months given all factors, including the war in the Ukraine, that they do not see the market improving or changing between now and 36 months from now, and the difference between the 36 months and the 30, is that this is generally a better time to renew than just prior to the winter season. Mr. Davis said that Council does have options here.

Ms. Popkin added that during their Committee meeting, they looked at Buckingham, Middletown, Plumstead, Warrington, and Chalfont. She said that Buckingham, Middletown, and Plumstead were using Mantis and were happy with their services and rates.

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

3. **Finance Report.** Ms. Popkin 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 \$855,190.11. 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

Mr. O'Brien noted there is another round of interviews coming up since they were not able to fill all of the vacancies from the January interviews. He said the vacancies were readvertised, we received some applicants, and the scheduling of the interviews will begin next week.

PROFESSIONALS' REPORTS

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

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

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Knott said the report was provided. The monthly activity report showed there were 1098 incidents in the Borough in January 2023, and year-to-date, the Department spent \$466,033.68 and were at 6.82% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS

Mr. Browne announced that Doylestown Fire Company's Annual Pancake Breakfast is being held on March 18, 6:30 a.m. to noon, \$9 in advance or \$10 at the door, at the Fire Company; and, the Borough Dam fishing derbies are coming up with a Clean-Up date of March 18, from 8 a.m. to 10 a.m., and a fish delivery date, which is always fun, of March 22 at 11 a.m.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION

Mr. O'Brien announced there would be a short Executive Session, but he did not believe they would be taking any action upon their return. Mr. Griffin concurred, indicating there was no formal action needed tonight. He said the session involves a zoning matter which is pending litigation.

At 7:47 pm, Council return from their Executive Session.

ADJOURNMENT

At 7:48 p.m., President O'Brien entertained a motion to adjourn (Browne-Livrone). The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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