

October 16, 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 Junior Councilperson Jack Swartley, Borough Solicitor Andrew Griffin, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Manager John Davis, Building and Zoning Director Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger. Mayor Noni West was absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS:

1. **2023 Mayor's Stewardship Award.** President O'Brien explained the Stewardship Award Program and then announced that this year's winner is 148 East State Street, owners Johan Offermans and Karl Overholt, who recently moved to the Borough and restored the outside of the 1870 home.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **September 18, 2023 Council Meeting Minutes.** (Margolis-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

MAYOR'S REPORT: No report.

PUBLIC SAFETY - Mr. Frederick

1. **Consideration of Ordinance No. 2023-11: Handicapped Parking Spaces on West Ashland Street, West Oakland Avenue, and Franklin Street.** Mr. Frederick said that this ordinance removes the handicapped parking spot on West Ashland Street at South Hamilton Street, creates a handicapped parking spot on West Oakland Avenue at Franklin Street, and creates a handicapped parking spot on Franklin Street at West Oakland Avenue. He said that Council, at its September 18, 2023 meeting, authorized the drafting and advertisement of the ordinance, and the ordinance has since been properly advertised.

The Public Safety Committee recommends that Council adopt Ordinance No. 2023-11, and the motion 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.

Mr. Davis commented that the Public Works Department will be attempting to install the handicapped spaces within the next month or so.

2. Mr. Frederick said that the **Doylestown Fire Company monthly report** 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. He did want to comment, however, that the playground across the street which was opened this evening is one of the finest things that Public Works has ever had a hand in. He congratulated everyone who was involved in the project.

Mr. Ehlinger commented that everyone is proud of the work the Public Works Department did on the playground and he said that the crew enjoyed working on it; leaf collection commenced in area one this week; and, they've been doing some road and sewer work.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell reported that the Committee did not meet and there was no report, but noted that October 28 , 9:30 a.m. to 12:30 p.m., is the Spooktacular Costume Contest & Trick or Treating in downtown Doylestown, starting at the old courthouse. Mr. Browne added that they are still looking for a couple of costume judges.

ZONING AND PLANNING - Ms. Jarret

1. **Doylestown Township – Proposed Zoning Amendment and Development at 280 North Broad Street.** Ms. Jarret said that the Doylestown Township Board of Supervisors, at its November 21, 2023 meeting, will be considering an amendment to its zoning ordinance proposed in response to a development request from Arcadia Land Company and Pennrose Development at 280 North Broad Street, which creates and defines a new use which permits a combination of high-density multi-family housing, along with twins and townhomes in the Township's Light Industrial Zoning District.

Ms. Jarret said that the Arcadia property, the source of the proposed zoning amendment, is located across from and offset from Broad Street's intersection with Atkinson Drive. The proposed driveway would be located a few car-lengths from the traffic signal, limiting the ability to exit the site safely. Due to concerns regarding land-use compatibility and housing equity, traffic impact, driveway geometry, water system availability, and emergency services access, Borough Staff recommends that the proposed zoning amendment and development be evaluated for consideration by Borough Council and, if appropriate, communicated to the Township Board of Supervisors.

Ms. Jarret said that the Zoning & Planning Committee recommends that Council authorize Staff, the Solicitor, and Engineer to evaluate the proposal and prepare a report. A motion was made so made (Jarret-Livrone).

Mr. Bell asked what the specific concern is about housing equity. Mr. Ehlinger explained that concern is about people of less potential societal power who are often pushed into

less desirable and less healthy built environments, which are inequities. He said this site, being bounded by a sewer plant and the potential odors from that, and being adjacent to a loading dock with 24 hour security light and truck traffic, is not necessarily the fairest place to put veterans or to people of low income who otherwise don't have much choice as far as where they can live.

Mr. Bell then asked about the concern of water availability - is it the location or because of the capacity of the Borough? Mr. Ehlinger said the capacity of the Borough is the only thing we can speak to. Mr. Livrone commented "availability" is not the concern, it's the capacity question. Mr. Davis said that public water is available in that location, but what the demand will be and how it will impact our system or the DTMA system, we have no information on that. He said this is a two-step process, one is where these broad concerns will be addressed in the report and then two, for us to bring details to Council.

With no further 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 asked Ms. Hyland for this report. Ms. Hyland said that the Doylestown Borough Zoning Hearing Board will hold a Public Meeting, on October 19, 2023, at 7 p.m., in Borough Hall, to hear the following applications: 277 Maple Avenue, requesting an extension of their six-month time period for a variance that had been previously granted; the same extension request for 47 West Oakland Avenue; and 116 Mary Street, for an addition off the rear of the house.

3. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Jarret said that at its regular monthly meeting, the HARB recommended the following for approval as submitted: **Sign Application:** 21 East Oakland Avenue; and, **Building Applications:** 75 West Ashland Street, for renovations, with itemized conditions; 189 South Main Street, for windows, with several amendments; 33 East Ashland Street, for renovation and an addition.

Ms. Jarret said that the Zoning and Planning Committee recommends that Council approve the applications in accordance with the HARB's recommendation. Motion so made (Jarret-Popkin). 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 and there was no report. She did comment that Borough's work in removing leaves is appreciated, but asked that people consider leaving the leaves on their property to help the pollinators like butterflies and fireflies that use them for protection in the winter.

WATER UTILITY - Mr. Livrone

Mr. Livrone reported that the Committee met, but there were no actionable items. He stated that at their meeting, Chief Operator Matozzo supplied a September operations report wherein everything was typical. He said that Mr. Matozzo also gave the status of the Maplewood tank which is scheduled for complete renovation in February/March 2024, noting that the Water Department crew did a dress rehearsal at the end of September. Mr. Livrone also thanked Councilperson Browne for his great work with drone photographs of that site.

FINANCE/PENSION - Ms. Popkin

1. **Amendment to T-Mobile Maplewood Cell Tower Lease.** Ms. Popkin said that this is the First Amendment to the T-Mobile Agreement for cell towers on the Maplewood Standpipe at 784 South Chubb Drive. T-Mobile submitted a renegotiated lease agreement in 2022, reducing the annual lease payments from \$43,500 to \$35,400 annually and the agreement changes were received in September 2023. The Finance & Pension Committee reviewed the agreement and is recommending acceptance. Motion to accept First Amendment to Agreement (Popkin-Margolis). 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 \$1,926,036.06. 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. **Authorization to Advertise Historic and Architectural Review Board (HARB) Vacancy.** Mr. O'Brien report that HARB member Walter Keppler has resigned his board seat effective immediately. He said that Mr. Keppler's resignation creates a vacancy which needs to be filled. The term will expired December 31, 2024. Motion to authorize the advertisement of the HARB vacancy (O'Brien-Browne). 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. 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 802 incidents in the Borough in September 2023, and year-to-date, the Department spent \$4,309,894.08, and were at 63.11% of their yearly budget.

PRESIDENT’S REPORT

Mr. O’Brien did not have a report, but commented that the ribbon cutting for the playground across the street was held tonight and he was pleasantly surprised by the number of people, including children, who attended. He thought gratitude was due to Caitlin Hernandez, the Borough’s Recreation and Special Events Coordinator, for the work she did in promoting that event.

OLD BUSINESS: None.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT

Jim Plummer, Pebble Woods Drive, stated his concerns over the Central Bucks School District closing the War Memorial Field on the weekends.

Donna Shannon, Steeplechase Drive, commented on vandalism in town.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:34 p.m., President O’Brien entertained a motion to adjourn (Browne-Margolis). The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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