

August 21, 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, Building and Zoning Director Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger.

### **PLEDGE OF ALLEGIANCE**

**SPECIAL PRESENTATIONS:** None.

### **MAYOR'S REPORT**

Mayor West did not have a report, but did announce that the Dart system launched their "DART SOUTH" schedule today. The Dart South bus runs from Grundy Hall and hits all the key shopping areas going south on 611, ending up at the Park at Westminster on Valley Road. There is a press conference and ribbon cutting on Thursday at 11 a.m. at the Shops at Valley Square.

### **APPROVAL OF MINUTES**

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

### **PUBLIC SAFETY - Mr. Frederick**

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**

1. **Masonic Lodge Use Agreement.** Mr. Browne said that this Agreement provides for the installation of a public bench through the Borough's Legacy Bench Program on the property of the Doylestown Masonic Lodge. The agreement is required because the bench cannot be suitably located in the public right-of-way. Mr. Browne said that the Committee reviewed the agreement and is recommending approval. Motion to approve the agreement (Browne-Frederick).

Mr. O'Brien said the agreement indicates this is for a 10-year term and then it can be renewed. He asked if the renewal then continues on 10-year increments and the response was yes.

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

2. **2023-2024 Fuel Bids.** Mr. Browne said that bids were publicly opened and read on June 14, 2023 by the Bucks County Consortium for the purchase of fuel for the 2023-2024 season. The Borough, including the Central Bucks Regional Police Department, uses about 28,000 gallons of unleaded and approximately 10,000 gallons of diesel. The low bidder was Riggins, Inc. for approximately 28,000 gallons of delivered unleaded regular gasoline at a floating price as of the delivery date based on the OPIS Philadelphia Mean price, \$2.62 as of June 14, 2023, plus a modifier of \$0.189 per gallon, for the period of August 1, 2023 to July 31, 2024; and for diesel, approximately 10,000 gallons of delivered ultra-low sulfur diesel at a floating price as of the delivery date based on the OPIS Philadelphia Mean price, \$2.43 as of June 14, 2023, plus a modifier of \$.329 per gallon, for the period of August 1, 2023 to July 31, 2024.

Mr. Browne said that the Committee reviewed the bids and is recommending that Council make a motion to award to Riggins, Inc. conditioned upon receipt of a properly executed performance bond and compliance with the bid specifications. Motion made to follow the recommendation (Browne-Margolis).

Mr. Bell expressed appreciation of Staff for acquiring an electric vehicle for the Borough and he looks forward to more.

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

3. Mr. Browne asked Mr. Ehlinger for a report on the Public Works Department. Mr. Ehlinger stated that the **Public Works Monthly Reports** were provided in Council's packet and are available to the public by following the packet link noted on this meeting's Agenda. He reported that the department successfully completed their second round of road paving which consisted of Golfview Drive and sections of Spruce and Church Streets. Mr. Ehlinger noted they are also working on the playground across the street which is anticipated to be completed by end of September.

#### **COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell**

Mr. Bell reported that the Committee met, but there were no Council items. Looking at the live stream of the meeting, he thanked Staff for making use of the facilities.

#### **ZONING AND PLANNING - Ms. Jarret**

1. **Consideration of Ordinance No. 2023-10, Adding Lighting Regulations to the Subdivision and Land Development Ordinance.** Ms. Jarret said this ordinance controls light pollution, including glare, light trespass, and skyglow. The ordinance has been properly advertised.

Ms. Jarret said that the Committee recommends adoption of the ordinance. Motion to adopt Ordinance No. 2023-10 (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. **Zoning Hearing Board Report.** Ms. Jarret asked Ms. Hyland for this report. Ms. Hyland said that the Zoning Hearing Board held a public meeting on August 16, 2023, at 7 p.m., to hear the following applications: 61 Pine Street, a dimensional variance request to permit the conversion of a first floor office into a second dwelling unit; and, 171 North Broad Street, a dimensional variance to allow a swimming pool within the required rear yard setback. Ms. Hyland said both applications were approved by the Zoning Hearing Board.

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 Applications:** 103 South Main Street, sign and roof shingles, recommended for approval with the condition that the roof is charcoal or dark gray in color and the sign is not internally lit, and a sign for 56 South Main Street; and, **Building Applications:** 24 Taylor Street, for exterior renovations - with the condition that the side door be a Simpson 37435 wood door and the paint colors to be as presented at the HARB meeting, 57 West Ashland Street, for a roof - with the condition that the applicant use GAF Slateline in place of the GAF Timberline HDZ high-definition shingles, 160 East Oakland Avenue, for windows - with the condition that the homeowner include permanently fixed exterior grills and removable interior grills on six of the seven windows visible from Oakland Avenue, 169 North Broad Street, for windows; and, 33 South Main Street, for an awning - approval of the application as amended to include a navy awning with a teal bottom and bookend border.

Ms. Jarret said that the Zoning & Planning Committee recommends that Council approve the applications in accordance with the HARB's recommendation. Motion to approve (Jarret-Livrone). 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. She then noted that the Borough's Environment Advisory Council (EAC) is asking the local community to help protect migratory birds by participating in "Lights out Doylestown!" "Many birds travel in the middle of the night and rely on natural light landmarks to guide them on their path south. Artificial lights can confuse birds, causing them to veer off course and become exhausted before reaching their destination or leading to fatal strikes on windows." The EAC is asking residents and businesses to turn off or reduce exterior and interior lights that illuminate the outdoors during the mitigatory period, August through November, from 11 p.m. to 5 a.m.

#### **WATER UTILITY - Mr. Livrone**

Mr. Livrone reported that the Committee met, but there were no actionable items.

**FINANCE/PENSION** - Ms. Popkin

1. **Bucks County Firefighter Credit.** Ms. Popkin stated that Bucks County has asked for Borough Council’s support to assist with the shortage of volunteer firefighters in the County by offering Act 91 real estate tax credit to residents who are volunteer firefighters. She said the request would also expand to the Central Bucks School District.

Ms. Popkin said that the Committee reviewed the request at their August 10, 2023 meeting and is recommending endorsement of the request. Motion was made (Popkin-Jarret).

Mr. Livrone asked what does “expand to the Central Bucks School District” mean. Mr. Davis said that the credit would apply to school taxes as well.

With no further 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 \$1,378,317.72. 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.

**PERSONNEL** - Mr. O’Brien: No report.

**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 907 incidents in the Borough in July 2023, and year-to-date, the Department spent \$3,454,109.94, and were at 50.58% of their yearly budget.

**PRESIDENT’S REPORT:**

Mr. O’Brien noted that he had the opportunity to spend about 20 minutes walking around the new playground area and even though it’s not complete, it is still quite impressive, and he is looking forward to the opening.

Mr. O’Brien thanked those persons who donated money to help offset the cost of the playground.

**OLD BUSINESS**

Mr. Frederick, in returning to the Water Department’s report, noted an article that appeared in the New York Times by Kim Tingley which explains what PFAS are, that they can be removed from tap water, their overall exposure to people, and where PFAS are found: “everywhere.” He said he knows the Borough is doing a good job of getting it out of our water, but people should

remember that PFAS are a “forever chemical” that’s everywhere, including cookware, fabric, carpets, cosmetics, etc.

Mr. Davis reminded the public that the Borough does have a good resource page on our website relating to PFAS, the Borough’s situation with it, and the latest updates on what is being done to address it. He said it also contains health-related information links to various governmental and health agencies, as well as information on the regulatory situation which changes almost day to day.

## **NEW BUSINESS**

Mr. Browne commented that Sam Smith, a Borough resident and with Bike Works of Doylestown, was the winner of the Ardmore Rock N’ Ride criterium race yesterday in Ardmore, and he’ll be racing at the Doylestown race coming up next month.

## **OPEN PUBLIC COMMENT**

Judy Kaminski, a resident from Steeplechase Drive, stated her concern of the bus and train area on Clinton Avenue. She said there is dirt and debris on the sidewalk going up the hill, which is not only ugly, but it sometimes makes you walk on the street which can be dangerous. [Ms. Kaminski showed photos of the area.] She said that mess is what people see when they come into Doylestown on a bus or train and it needs to be cleaned up.

Mr. Davis stated the property belongs to SEPTA, but Staff will make sure that we get on SEPTA if they’re not properly clearing their sidewalks and parking areas. He said the Borough will address the bus shelter there as it is the Borough’s. Mr. Davis didn’t think there may be much to do in terms of landscaping, but they’ll take a look at it.

Edward Mackhouse from Buckingham commented on a wide variety of subjects.

Vonna DeArmond, resident of Plumstead Township, asked if the Borough has a code of conduct for Council members, members of committees, and volunteer boards, and if so, where she could find those; if there are none, she asked why not - what recourse does a person have if a Council member uses abusive and intimidating language. She claimed she and other women had been subjected to that.

## **EXECUTIVE SESSION AND ADJOURNMENT**

Mr. O’Brien announced there would be a personnel Executive Session and since there was no action expected from that, Council would adjourn this meeting. At 7:40 p.m., a motion to adjourn was made by Mr. Browne, seconded by Ms. Jarret. The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis  
Borough Manager

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