

September 18, 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 Larry Browne, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Amy Popkin. Also present were Borough Solicitor Ernest Closser, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Manager John Davis, Building and Zoning Director Karyn Hyland, and Finance Director Caroline Brinker. Councilperson Ben Bell attended the meeting via phone. Mayor Noni West, Councilperson Curtis Cowgill, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger were absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS:

1. **Swearing in of Junior Councilperson.** Former Mayor Ron Strouse, standing in for Mayor West, welcomed and swore in the new Junior Councilperson, Jack Swartley.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **August 21, 2023 Council Meeting Minutes.** (Browne-Frederick) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT: No report.

PUBLIC SAFETY - Mr. Frederick

1. **Authorization to Draft and Advertise Ordinance: Handicap Parking at West Oakland and South Franklin.** Mr. Frederick said that Council's Public Safety Committee met in September to consider a request from the residents of 147 West Oakland Avenue for the creation of two parking spaces for their primary use, as two people who reside there have handicap parking placards. He said the Public Safety Committee is recommending that Council authorize the drafting and advertising of an ordinance creating two handicap spaces adjacent to the property, one on West Oakland Avenue and one on South Franklin Street. Motion was made to draft and advertise the ordinance (Frederick-Margolis).

Mr. Davis commented that subsequent to the September Public Safety Committee meeting, he received a request from the owner of 63 West Ashland Street that the handicap space at that location be removed. He said Council previously authorized and created that handicap parking space for use by the tenant there. That tenant has since moved and there is no longer a need for the handicap space, and there is in fact a need for non-handicap parking in that area. Mr. Davis said that rather than making them wait a month to go through Public Safety again and

given it's such a routine request, he thought it best if the present motion could be amended to also include the requested removal of the 63 West Ashland Street handicap space from the same ordinance. Motion was so amended (Frederick-Margolis).

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

2. **Consideration of Central Bucks Regional Police Department's (CBRPD) 2024 Preliminary Budget.** Mr. Frederick said that the referenced budget was forwarded by the Central Bucks Regional Police Commission (CBRPC) and transmitted to the Borough by September 1, in accordance with the terms of the Intermunicipal Agreement. He said the budget is still a work in progress, relying on multiple assumptions particularly with regard to health, workers' compensation, and property and liability insurance premiums. He said that at the direction of the CBRPC, the preliminary budget was prepared to include the hiring of two additional full-time police officers. Mr. Frederick said that although there was not a quorum present at the September 6 meeting, the Public Safety Committee is recommending that Borough Council reject the First Draft Budget, an action that is anticipated by the CBRPC. Motion was made to reject CBRPD's 2024 Preliminary Budget (Frederick-Browne). With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. 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 said that the Committee did meet and the **2023-2024 Rock Salt Bids** came to the floor. He said the bids were opened and publicly read for the purchase of rock salt for the 2023-2024 season on August 16, 2023. A bid tabulation was provided. He said that if Council wished to award the bid to the low bidder, it could do so by making a motion to award the bid to Riverside Construction Materials, Inc. at a price of \$66.00 per ton delivered and \$65.85 undelivered, which is less than last year, conditioned upon receipt of a properly executed performance bond and compliance with the bid specifications. Motion was made to award the rock salt bid as indicated (Browne-Livrone). With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

Mr. Browne said that the Department's report was provided in Council's packet and is available to the public by following the packet link noted on this meeting's Agenda. As Mr. Ehlinger was not present to comment, he reported that the Public Works Department had another stellar month, especially getting ready for the Arts Festival and bike race. He congratulated Dave Burger for his well-deserved promotion to Assistant Public Works Director.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

1. **Resolution No. 2023-8, Public Participation Rules and Guidelines for Public Meetings.** Mr. Bell attempted to report via phone, but due to technical difficulties, Mr. Browne reported. He

said that this resolution sets for the first time written guidelines for public participation in the Borough's public meetings. He said that the Committee reviewed the resolution and is recommending approval. Motion to adopt Resolution No. 2023-8 (Browne in proxy for Bell-Frederick).

Public comment was received from Edward Mackhouse of Buckingham and Vonna DeArmond of Plumstead Township.

Messrs. O'Brien and Davis clarified that the Sign-In Sheet which is part of this Resolution requests a street, but not a specific address. Speakers/commenters are also to address Council as a whole or specifically the Chair. Mr. Bell added that the street request is not new; this just really codifies existing practices for that particular provision

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

ZONING AND PLANNING - Ms. Jarret

1. At its regular monthly meeting, the Borough of Doylestown Historical & Architectural Review Board (HARB) recommended for approval the following: **Building Applications:** 129 South West Street, for a porch; 401 Maple Avenue, for exterior renovations, approval with the condition that the chimney stone veneer and top of the chimney will match the existing chimneys and stone; 202 East Court Street, for exterior renovations, approval as submitted with the proposed materials list. Ms. Jarret said the Zoning & Planning Committee recommends that Council approve the applications in accordance with the HARB's recommendations. If Council wishes to follow the Committee's recommendation, it can 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.

2. **Code Enforcement Monthly Activity Report** and 3. **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. **Burpee Pavilion Mural.** Ms. Margolis said that there is a proposal from resident Melissa Russell for a mural on the playground side of the Burpee Park Pavilion, which is badly in need of replacement. Borough Staff would prep the wall and reimburse paint costs.

Ms. Margolis said that the Park and Recreation Board and Environment and Recreation Committee have reviewed the proposal and are recommending approval. Motion was made to approve the proposal. (Margolis-Popkin) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Neis Park Softball Field Fee Waiver Request.** Ms. Margolis said that in July, Borough Council waived 2023 softball field permit fees for Plumstead Softball. Plumstead serves a large

number of Doylestown children and had assisted the Doylestown Athletic Association (DAA) in the spring by accommodating a number of their registrants when DAA had insufficient players to form a team. Ms. Margolis said that similarly, the Newtown based “Rock Gold” softball program has accommodated a number of Doylestown children in their travel program due to DAA no longer having one. This team is more than half comprised of Doylestown players and has received a permit, with DAA’s acquiescence, to practice at Neis Park this fall.

Ms. Margolis said that the Park and Recreation Board and Environment and Recreation Committee are recommending that Council waive the 2023 field permit fee of \$210 for the Rock Gold Softball program. Motion was made to approve the fee waiver (Margolis-Livrone).

Donna Shannon, Doylestown Township, representing DAA, commented that the Borough has been more than generous to DAA, and what is being done here is a wonderful thing to do for this community organization.

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

3. Authorization to Draft and Advertise Ordinance Adding Red Maple to the Planting List in the Subdivision and Land Development. Ms. Margolis said that in January 2021, Borough Council amended the Subdivision and Land Development Ordinance with an updated list of approved plantings. Due to concerns related to the spotted lanternfly, Red Maples were not included on the list. There’s now been nearly three years to observe conditions and the Environment & Recreation Committee is recommending that Red Maple, *Acer Rubrum*, be added to the list of approved plantings.

Ms. Margolis said that the Environment & Recreation Committee recommends that Council authorize the drafting and advertising of an ordinance to add Red Maples to the list of approved plantings in the Subdivision and Land Development Ordinance, and the motion was made (Margolis-Jarret). With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

WATER UTILITY - Mr. Livrone

Mr. Livrone reported that the Committee did not meet and there was no report.

FINANCE/PENSION - Ms. Popkin

1. Disclosure of 2024 Minimum Municipal Obligation to Pension Plan. Ms. Popkin said that this disclosure is intended to satisfy the legal requirements of Act 205 and that the Projected 2024 Non-Uniform Pension Obligation is \$283,350. She noted that the obligation must be paid by December 31, 2024, and must be met with general fund monies or with any General State Aid to Municipal Pensions to which the Borough may be entitled to under Act 205. No action was required by Council this evening.

2. **Adoption of Cyber Incident Response Plan.** Ms. Popkin said this plan was prepared by the Delaware Valley Property & Liability Insurance Trust as part of our annual risk control assessment. She said that although there was not a quorum present at the Finance & Pension Committee meeting, those members present reviewed the document and are recommending Council adopt the plan. Motion to adopt the plan (Popkin-Margolis).

Mr. Bell inquired about the team members referred to in the plan and also commented on the importance of having a communications plan. Mr. Davis pointed out where the team members were listed in the plan.

Borough resident Matt Major urged Council to have breach counsel identified now.

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

3. 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 \$890,683.71. 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: None.

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 894 incidents in the Borough in August 2023, and year-to-date, the Department spent \$3,882,208.81, and were at 56.85% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT

Matt Major, North Hamilton Street, asked Council to address traffic control on North Hamilton Street, especially from Union into town, due to speeding and vehicles going in the wrong direction; and, full-time permit parking for the area since the parking continues to be difficult for residents.

Judy Kaminski, Doylestown Township, gave her thanks for the clean up done on South Clinton Street near the train station and made comments about the area needing beautification.

Ed Mackhouse, Buckingham Township, commented on a variety of subjects.

Vonna DeArmond, Plumstead Township, also commented on a variety of subjects.

Councilperson Browne commented on the great efforts, in addition to Public Works, of the Bucks County Classic people and Discover Doylestown - Paul and Kris Boger, and that army of volunteers, for the Arts Fest and Bike Race. It was a spectacular event and it brought a lot of people into town.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:42 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

:sa