

November 21, 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, Council Members Ben Bell, Larry Browne, Joe Frederick, Dennis Livrone, and Amy Popkin, and Junior Councilperson Brooke Wassmann. Also present were Borough Solicitor Ernest Closser, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Captain Lance Carlen, Borough Manager John Davis, Building and Zoning Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger. Mayor Noni West and Councilpersons Tim Brennan and Jennifer Jarret were absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

1. **Proclamation Honoring Mike Stachel and Dave Windholz for Their Service to the Borough Fishing Dam Program.** President O'Brien introduced Kyle Melander, a staff member from Congressman Brian Fitzpatrick's office. Mr. Melander said that a summary of the fishing program and how it has served the community's youth, elderly, and veterans for 50 years has been entered in to the Congressional Record and will therefore be archived in the Library of Congress for future generations.

Messrs. Stachel and Windholz joined Mr. Melander on the floor where they were presented with a flag, which had flown over the United States Capitol, in appreciation for all that they have done for the community over the last 50 years.

Mr. O'Brien next introduced Gail Linenberg and Gene Houck of Doylestown Rotary, who, on behalf of the President of Rotary International and the Chairman of Trustees of the Rotary Foundation, presented Messrs. Stachel and Windholz with a Paul Harris Fellow certificate and Paul Harris pin for their substantial humanitarian contributions to the fishing derbies.

Gerry Higgins, Co-Chair of the Friends of Doylestown Borough Dam, thanked Messrs. Stachel and Windholz for everything they had done in a video presentation.

A Mayoral Proclamation was read by President O'Brien, which concluded by saying that Doylestown Borough most sincerely honors the contributions of Messrs. Stachel and Windholz to the Borough and beyond; "their commitment empowers our community, supplies meaningful engagement and support, and provides fond memories for us all."

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **October 17, 2022 Council Meeting Minutes**. (Margolis-Popkin) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT: The Mayor was absent and there was no report.

PUBLIC SAFETY - Mr. Frederick

1. **Consideration of Ordinance No. 2022-9, Creating a No-Parking Zone on East Street at Linden Avenue.** Mr. Frederick said that this ordinance creates a no-parking zone on the east side of East Street north of Linden Avenue, which is in response to parked vehicles creating a traffic bottleneck for school buses and other vehicles accessing Linden Elementary. He said that Council authorized the advertisement of this ordinance at its October 17, 2022 meeting and it was then properly advertised.

Mr. Frederick said that the Public Safety Committee did not have a quorum at its November 2, 2022 meeting, but the members present are recommending that Council adopt Ordinance No. 2022-9. He said that if Council wished to follow the recommendation, it could do so by motion. (Frederick-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Doylestown Fire Company Monthly Report.** Mr. Frederick said the 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 met, but there were no actionable items. He said the meeting did include discussions of paving and stormwater runoff, and that the Committee approved a paving schedule for 2023 which will include West from Court to Ashland, West Oakland from Main to Clinton, Spruce from North to Court, North Franklin from Doyle to Wood, North Church from Selner to Main, the entire length of Golfview Drive, and the entire length of Hohlbain's Alley. Mr. Browne then asked Mr. Ehlinger for the **Works Department Report**. Mr. Ehlinger reported that the Department is fully immersed in very heavy leaf collection, just completing area 5, which means they're a little behind schedule, but are hoping to catch up.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell reported that the Committee did not meet, but announced that today was a milestone for the Youth Leadership Recognition Program, which was championed by our previous Junior Councilperson Mary Frances McNulty and now by our new Junior Councilperson Brooke Wassmann. He said today at 2:00 p.m., the program was formally announced on the Borough's social media platforms and website and it is now official, and nominations are open. Mr. Bell asked that this information be passed along to anyone in the Borough who may want to participate. He thanked Ms. McNulty and Ms. Wassmann.

ZONING AND PLANNING - Mr. Brennan

In Mr. Brennan's absence, Ms. Popkin gave the following report:

1. **Resolution 2022-16, Adopting a Sewage Facilities Planning Module for 333 North Broad Street and Authorizing Submission to the Pa DEP.** Ms. Popkin said that Pennsylvania's Act 537, known as the Pennsylvania Sewage Facilities Act, requires each municipality to adopt an Official Sewage Facilities Plan. She said that this plan, which is required regardless of system ownership, must be revised whenever it is necessary to determine whether a proposed method of sewage disposal conforms to pollution control and water quality requirements. Ms. Popkin said that this revision, or Planning Module, is required for the previously approved Land Development at 333 North Broad Street and has been reviewed by the Borough's Water Engineer.

Ms. Popkin said that the Zoning and Planning Committee is recommending adoption of Resolution 2022-16, and if Council agrees, it may do so by motion. (Popkin-Livrone) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Authorization to Advertise Pollutant Reduction Plan (PRP) Public Comment Period.** Ms. Popkin said that provided in the Council packet was an advertisement and a draft PRP, which adds stream improvements on the Fonthill Castle property to the Borough's existing PRP. She said that as part of its National Pollutant Detection and Elimination System (NPDES) permit with the DEP, the Borough is required to adopt a PRP and then implement specific tasks laid out in the plan. Ms. Popkin said that the Borough adopted a plan in 2017 with the understanding that the compact nature of the Borough made it physically and financially challenging to implement. She said the Borough and the Bucks County Historical Society have since executed a MOU enabling the Borough to move forward with designing stream improvements on the Fonthill property to satisfy the permit requirements, and the next step is to update the PRP for review by the DEP. Ms. Popkin said the advertisement will begin the required 30-day comment period.

Ms. Popkin said that the Zoning and Planning Committee recommends that Council authorize advertisement of the attached PRP, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Popkin-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. **Zoning Hearing Board Report.** Ms. Popkin deferred to Ms. Hyland, who stated that the Doylestown Borough Zoning Hearing Board met last week and heard the application of DL Widmeier Properties LLC, for 72 North Main Street, which requested a special exception to allow retail within the office zoning district. She said the application was approved.

4. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Popkin again deferred to Ms. Hyland, who reported that the HARB met on October 27, 2022 and heard the following: Sign Application: for 81 South Main Street; and, Building Application: 238 East Court Street, for a building addition. She said that both applications were recommended for a Certificate of Appropriateness. Ms. Hyland said Council could approve the applications in accordance with

HARB's recommendations by motion. (Popkin-Livrone) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

5. **Code Enforcement Monthly Activity Report** and 6. **Building Inspection Monthly Report**. Ms. Popkin 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. Ms. Margolis reported that after years of hard work by the Environment Advisory Council (EAC) and Borough Staff, and a lot of input from our business community, she was pleased to finally present Doylestown Borough's **Ordinance Regulating Carry-Out Bags**. Ms. Margolis said that this ordinance bans single-use plastic carry-out bags and non-recycled paper carry-out bags from retail businesses, retail transactions, restaurants, and events within the Borough. She said the ordinance goes fully into effect six months after adoption. Ms. Margolis said that this period will be used for public education, to prepare resources for businesses, and for the necessary purchasing and operational transitions. Businesses may request up to two six-month extensions if additional time is needed to deplete existing bag inventory.

Ms. Margolis said that the ordinance was developed by the EAC in coordination with the environmental advocacy organization, Penn Environment, and takes into account feedback from the Borough's business community. She said the Environment and Recreation Committee recommends that Council authorize advertisement of the ordinance, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Margolis-Bell)

Mr. Browne commented that he recently had a discussion with Glenda Childs from Doylestown Bookstore and she was very appreciative of all the efforts made to bring the business community into this and she's very excited that it's moving along.

Mr. Bell commented that while Ms. Margolis did take the time to acknowledge the hard work of the EAC, Borough Staff, and the business community, but he also wanted to acknowledge Ms. Margolis' leadership throughout this whole process.

With no further no 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 gave this report. **Consideration of Resolution No. 2022-15, Authorizing ARPA PA Small Water and Sewer Program Grant Application for Maplewood Tank Rehabilitation Project**. He said that said that this resolution authorizes the submission of a grant application in the amount of \$424,864.00 for the Maplewood Tank Rehabilitation Project. Mr. Livrone said that if Council wished to adopt the resolution, it could do so by motion. (Livorne-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

FINANCE/PENSION - Ms. Popkin

1. Adoption of the 2023 Central Bucks Regional Police Department (CBRPD) Budget.

Ms. Popkin said that Council was provided with the 2023 CBRPD Budget as approved and submitted for consideration by the Central Bucks Regional Police Commission. She said that during the joint Council/Finance Budget Work Session held on November 10, 2022, it was recommended that Council approve the 2023 CBRPD Budget as submitted. Ms. Popkin said that if Council agrees with the recommendation, it may adopt the CBRPD budget by motion. (Popkin-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. Adoption of 2023 Preliminary Budget. Ms. Popkin noted that as a part of the Council packet was a copy of the proposed 2023 Preliminary Budget. She said that the Preliminary Budget is to be advertised and made available for public inspection at Borough Hall, on the website at www.doylestownborough.net, and Doylestown Borough social media for a minimum of 10 days prior to the Final Budget adoption. She said that changes can be made between now and the Final Budget adoption which is scheduled for the December 19, 2022 Council Meeting.

Ms. Popkin stated that a Budget Message, along with a copy of the Budget Summary, has been prepared for the public and the press.

Ms. Popkin said that once the Preliminary Budget is adopted and all changes are finalized, the 2023 Budget Books with the schedules, will be prepared and presented to Council for the December meeting. She said that if Council wishes to adopt and authorize the advertisement of the proposed 2023 Preliminary Budget, it can be done by motion. (Popkin-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. Authorization to Advertise Ordinance, Setting the 2023 Real Estate Tax Rate.

Ms. Popkin said that in conjunction with the adoption of the 2023 Preliminary Budget is the ordinance setting the 2023 real estate tax rate. She said that for the year 2023, the General Purpose Tax is 10.915 mills, the Fire Protection Tax is 1.70 mills, the Special Road Fund Tax is 1.50 mills, the Ambulance and Rescue Squad Tax is 0.50 mills, and the Debt Service Tax is 3.725 mills. She said the total millage will be 18.34 mills. Ms. Popkin said that if Council wished to authorize the advertisement of the proposed Ordinance, it could do so by motion. (Popkin-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

4. Authorization to Advertise Ordinance, Providing for the Regulation of Water Service.

Ms. Popkin said that in conjunction with the adoption of the 2023 Preliminary Budget is an ordinance setting the water rates for 2023 and adding a \$5.00 per unit per quarter Capital Contribution Fee. She said that if Council wished to authorize the advertisement of the proposed ordinance it could do so by motion. (Popkin-Livrone) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

5. **Finance Report.** Ms. Popkin then called upon Finance Director 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 \$1,146,012.07. A motion was made to approve the report. (Popkin-Browne) 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. **Reappointment of Members to Various Boards/Commissions.** Mr. O’Brien said that on November 15, 2022, the Personnel Committee met to consider the reappointment of members on various boards/commissions whose terms expire on December 31, 2022. Each of these members have expressed a desire to return for another term.

Mr. O’Brien said that as a result of the November 15 meeting, the Committee is recommending reappointment as follows:

<u>BOARD/COMMISSION</u>	<u>TERM</u>	<u>MEMBER</u>
Building and Fire Code Board of Appeals	5 years	Gus Perea
Economic Development Advisory Board	3 years	Patricia Keppler, Heather Mahaley, and Otto Mills
Environmental Advisory Council	3 years	Karen Graziano
Fanny Chapman Pool Board	3 years	Al Krach and Bob Purdy
Human Relations Commission	3 years	Maxine Katz and Doreen Stratton
Park and Recreation Board	5 years	Robert Huether and James Lannon
Planning Commission	4 years	Heather Mahaley and Gus Perea
Vacancy Board	1 year	Curtis Cowgill
Zoning Hearing Board	3 years	F. William Cope, Scott Strasburg, and Brian Vaughan

Mr. O’Brien said that if Council wished to follow the Committee’s recommendation to reappoint the members as stated, it could do so by motion. (O’Brien-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Authorization to Advertise Board Vacancies.** Mr. O’Brien said that on November 15, 2022, the Personnel Committee met to consider vacancies on various boards/commissions and as a result of that meeting, the Committee is recommending advertisement of the following board/commission vacancies:

<u>Board/Commission</u>	<u>Number of Vacancies</u>	<u>Term</u>
Doylestown Dog Park Advisory Board	4	3 years (Have been vacant)
Economic Development Advisory Board	1	3 years
Environmental Advisory Council	2	3 years, one vacancy to 12/31/24 and the second is full term, 12/31/25
Fanny Chapman Pool Board	2	3 years

Human Relations Commission	2	3 years, one vacancy to 12/31/23 and the second is to 12/31/24
Planning Commission	2	4 years
Shade Tree Commission	3	5 years

Student Board Members Board/Commission	Number of Vacancies	May 2023 - April 2024 Term
Fanny Chapman Pool Board	1	
Historic and Architectural Review Board	1	
Park and Recreation Board	2	
Shade Tree Commission	1	
Junior Councilperson	1	September 2023 - May 2024

Mr. O’Brien said that if Council wished to follow the Committee’s recommendation to advertise the vacancies, it could do so by motion. (O’Brien-Browne) With no 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. Closser: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. Captain Carlen said he had no report. The CBRPD monthly activity report showed there were 1113 incidents in the Borough in October 2022, and year-to-date, the Department spent \$5,541,931.39 and were at 84.6% of their yearly budget.

PRESIDENT’S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS

Mr. Browne noted a few sports milestones for CB West achieved this fall: the football team is heading to the 6A District 1 Championship against Garnet Valley following a win against Perkiomen Valley last Friday, the girls soccer team made it to the second round of state championships, and the field hockey team made it to the first round of state championships.

Ms. Margolis next congratulated Tim Brennan, even though he was not present, on being elected to the State House of Representatives.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:39 p.m., President O'Brien entertained a motion to adjourn (Margolis-Browne). The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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