

September 19, 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, and Council Members Ben Bell, Tim Brennan, Larry Browne, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Amy Popkin. Also present were Mayor Noni West, Borough Solicitor Ernest Closser, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Manager John Davis, Building and Zoning Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

1. Mayor West welcomed and swore in the **new Junior Councilperson**, Brooke Wassman.
2. **Doylestown Fire Company Recruitment Video Premier.** Battalion Chief Ed Truman and Firefighters Steve Downs and Karen Truman from the Doylestown Fire Company were present, and President O'Brien thanked them for their service and everything they do for the community.

Mayor West commented that the Borough and the Township have been working together on a video to help recruit volunteers. She said that the Communications Committee of the Township has been phenomenally successful, "They are very talented and were a gem in the whole process." She noted that also present were Township Supervisor Chair Barb Lyons and the Township's Telecommunications Advisory Board Chairperson Ed Ebenbach.

Firefighter Steve Downs said the fire company is very thankful for the teams at both the Borough and the Township for pulling this together because without their leadership, skills, and perseverance, this video wouldn't have happened. Mr. Downs said it's imperative that the fire company make the community aware of what they do and to get people involved. He also said they are interested in ideas from anyone as to how to get the word out and make people aware.

Ms. Truman announced that they are holding a Fire Prevention Open House from 5:00-8:00 p.m. on October 8, 2022, at their main station firehouse. She said they are hoping this will gather interest and give them exposure to the community. She noted that the police, ambulance, and Sheriff's Department will also be present.

The new video was presented. It was noted that there is a 30-second version of the video available for posting on Facebook and social media.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **August 15, 2022 Council Meeting Minutes**. (Browne-Margolis) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Mayor West's report focused on events, starting with the Arts Festival and the Bike Race on September 10 and 11, which brought 15,000 to 20,000 people to town. She said that of that number, 65% came from within a 30-mile radius of the Borough. The Mayor noted even though it rained on Sunday, the most sales were made that day and an artist sold a \$10,000 sculpture. She said those sales exceeded all sales combined from last year's festival. Mayor West said the restaurants did well; the bike race was fabulous despite the rain; and, Public Works and the Central Bucks Regional Police were praised by Discover Doylestown for their work for the festival. She thanked Discover Doylestown for the Arts Festival.

Mayor West then called attention to upcoming events: Bucks County Book Festival September 23 and 24; October 8 is the Open House at the Fire Department; Doylestown Pride has an outdoor screening of the Bird Cage on September 30; the YMCA is holding their annual Kids Triathlon on September 25; the 9/11 Heroes Run is on October 9; the Historical Society is conducting haunted house tours on October 14 and 21; and the Spooktacular Costume Contest and Parade is on October 22, 2022. She recommended that people go the websites of Discover Doylestown, the Historical Society, and the YMCA to get out the events because when she did, she found several of them to be sold out already.

PUBLIC SAFETY - Mr. Frederick

1. **Authorization to Advertise Ordinance Creating a Handicap Parking Space at 63 West Ashland Street.** Mr. Frederick said that the draft ordinance, along with letters of support and a photographs of the property, were provided in Council's packet. He said the Public Safety Committee reviewed the ordinance and is recommending that Council authorize its advertisement. Mr. Frederick said that if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne). Mr. Davis commented that Staff will be providing notice to the surrounding property owners to allow them the opportunity to weigh in on the request and ordinance. 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 2023 Preliminary Budget.** Mr. Frederick said that provided in Council's packet was the referenced budget, which was forwarded by the Central Bucks Regional Police Commission and transmitted to the Borough by September 1, in accordance with the terms of the Intermunicipal Agreement.

Mr. Frederick said that 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 although there was not a quorum present at the September 7, 2023 meeting, the Public Safety Committee is recommending that Borough Council reject the first draft budget, an action that is anticipated by the Police Commission. Mr. Frederick 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.

3. **Doylestown Fire Company No. 1 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

1. **2022-2023 Rock Salt Bids.** Mr. Browne said that bids were opened and publicly read for the purchase of Rock Salt for the 2022-2023 season on August 17, 2022. He said that a tabulation of the bids was provided in Council's packet.

Mr. Browne said that last year's low bid was Morton Salt, at \$57.88 per ton delivered and \$57.00 per ton undelivered. 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 Morton Salt at a price of \$67.76 per ton delivered and \$67.00 undelivered, conditioned upon receipt of a properly executed performance bond and compliance with the bid specifications. (Browne-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Public Works Monthly Report.** Mr. Browne said that the monthly **Public Works Department Report** was provided in Council's packet. He commented that the work the department did on the flower baskets to get them ready for the big weekend was exemplary, especially after such a hard summer. Mr. Browne said that leaf pickup begins on October 17 and the schedules/maps were out and also available on the Borough's website. He also acknowledged that the department's work at the Arts Festival and Bike Race was outstanding. Mr. Browne then asked Mr. Ehlinger for comments. Mr. Ehlinger said that as shown on the department's reports, they've been busy. He said they're trying to catch up following the big weekend, which seems to consume most of their time and attention. Mr. Ehlinger said they're trying to get in some major patchwork - they were out on Stryker today and he has a long list which they will try to complete before leaf pickup consumes the whole department's manpower.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell reported that the Committee did meet, but there were no items before Council. He said they continued their discussion with Staff how to optimally make use of Council Chambers and its equipment.

ZONING AND PLANNING - Mr. Brennan

1. **Consideration of Ordinance No. 2022-7 Amending the Stormwater Management Ordinance.** Mr. Brennan said that this ordinance amends the language in the stormwater

management ordinance. He said that the amendment is required for compliance with the Borough's MS4 NPDES permit and includes additional definitions, codifies our existing policy on requiring as-built drawings, and sets standards for inspection requirements for large stormwater management facilities. He added that the ordinance had been properly advertised.

Mr. Brennan said that the Zoning and Planning Committee recommends adoption of Ordinance No. 2022-7 and if Council was in agreement with the recommendation, it could do so by motion. (Brennan-Livrone) 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.** Mr. Brennan deferred to Ms. Hyland, who said that the Zoning Hearing Board will meet at 7:00 p.m. on September 21, 2022, to hear the following applications: 122 East Court Street, which is an application to convert an existing office use to a single-family semi-detached dwelling use; 105 East State Street, is to allow air conditioning units to be placed 3.9 feet from the right-of-way line; and 172 East Oakland Avenue, for an internal expansion into the attic space. She added that this last application is in response to an enforcement action because this was done following denial of a permit application. Mr. Brennan added that with regard to this last application, 172 East Oakland Avenue, the Zoning and Planning Committee recommends that Council authorize the Borough Solicitor to represent the Borough's interests, and if Council is in agreement, it could do so by motion. (Brennan-Jarrett) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

3. **Historic & Architectural Review Board (HARB) Recommendations.** Mr. Brennan said that at its regular monthly meeting held on August 25, 2022, the HARB recommended approval of the following building applications: 30 East Oakland Avenue, for a door and siding, on the condition that the stucco is matched as closely as possible with regard to the removal of the door. Mr. Brennan noted there were no sign applications.

Mr. Brennan said that the Zoning and Planning Committee recommended that Council approve the application in accordance with HARB's recommendations, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Brennan-Margolis) With no further 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.** Mr. Brennan 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 reported that the Committee met, but had no items of business for Council. She alerted everyone that there is a public meeting tomorrow evening about the proposed plastic

bag reduction ordinance being held by the Environmental Advisory Council. Ms. Margolis encouraged everyone to attend this important meeting.

WATER UTILITY - Ms. Jarret

1. **Consideration of Resolution No. 2022-13, Joining a Municipal Consortium to Oppose the Sale of Bucks County Water and Sewer Authority Sewer (BCWSA) Assets to Aqua Pennsylvania.** Ms. Jarret said provided in Council's packet was the referenced resolution joining the Borough to a consortium of municipalities working together to oppose the sale of BCWSA assets to Aqua Pennsylvania. She said that although recent reports indicate that the sale will not go through, BCWSA has yet to finally vote to end the sale process.

Ms. Jarret said that the Water Utility Committee is recommending the adoption of Resolution No. 2022-13, and if Council wished to follow the 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.

2. **Consideration of Resolution No. 2022-14, Opposing PA Senate Bill 597.** Ms. Jarret said that also provided in Council's packet was Resolution No. 2022-14, which opposes Pennsylvania Senate Bill 597, also known as the "Water Quality Accountability Act". She said that despite its reassuring name, the act imposes an expensive, unfunded mandate on Pennsylvania's small water systems with the potential consequence of further privatization.

Ms. Jarret said that the Water Utility Committee is recommending the adoption of Resolution No. 2022-14, and if Council wished to follow the recommendation, it may do so by motion. (Jarret-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

Ms. Jarret commented that in their meeting, they discussed that the research into our solutions around PFAS continues. She also reported that our Chief Water Operator, Jeremy Matozzo, continues to do a great job.

FINANCE/PENSION - Ms. Popkin

1. **Disclosure of 2023 Minimum Municipal Obligation to Pension Plan.** Ms. Popkin said that Act 205 of 1984, as amended, governs the funding requirements for all municipal pension plans. She said the law requires the Chief Administrative Officer of each municipal pension plan to inform the governing body of the municipality of the plan's expected financial obligation for the coming year, by the last business day in September. She said that this disclosure is intended to satisfy the legal requirements of Act 205.

Ms. Popkin said that the calculation of the 2023 plan cost, or the Minimum Municipal Obligation (MMO), required an estimate of the 2022 W-2 wages of the employees covered by the plans. She said that the worksheets provided in Council's packet indicate the best estimates of the

plan costs. Ms. Popkin said that questions on our Non-Uniform Pension costs may be addressed to either Finance Director Brinker or the staff of Girard Pension Services at (610) 821-1331.

Ms. Popkin said the MMO is the municipality's 2023 bill for the pension plan and the calculated obligation must be paid by December 31, 2023. She said that the obligation 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.

Ms. Popkin said the projected 2023 Non-Uniform Pension Obligation is \$274,944, and other than disclosure of this obligation at a Public Meeting, no further action by Council is required.

President O'Brien asked if there were any questions regarding this item and there were none.

2. **Finance Report** . Ms. Popkin called upon Finance Director Brinker to give this 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 \$911,710.47. 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.

Lastly, Ms. Popkin noted that the first 2023 Budget meeting is October 13, at 6:00 p.m., and she encouraged people to attend.

PERSONNEL - Mr. O'Brien: No report.

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 he had no report. The CBRPD monthly activity report showed there were 1187 incidents in the Borough in September 2022, and year-to-date, the Department spent \$3,189,042.07 and were at 58.3% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS

1. **Support Letter on Behalf of Doylestown Hospital's Redevelopment Assistance Capital Program Grant Application.** Mr. O'Brien said that a copy of the letter was provided in Council's packet, and it supports the hospital's grant application to renovate the Craft Barn at Pine Run Retirement Community. He said that some of the surrounding municipalities have been asked to submit letters of support and he believes this would assist the hospital in obtaining the grant. Mr. O'Brien motioned to submit the letter, seconded by Ms. Jarret. With no comments being heard, the vote was called. All were in favor and the motion passed unanimously.

OPEN PUBLIC COMMENT

Donna Shannon, who lives in the Township right outside the Borough, said her concern is that there appears to be a lot of homeless people at CVS at night. She said CVS told their employees, which includes her daughter, that Philadelphia has no room for them and is sending them here on the train. Ms. Shannon asked if there was anything that can be done for these people. She said she is also concerned about the increased graffiti she's noticed around Doylestown, especially near the railroad tracks.

Chief Knott responded that the police department is aware of the situation and the difficult part is that none of the homeless ask for or want to go into housing. He said that there are quite a few establishments that do give these people food and money so they feel comfortable. In that respect that they are being well attended to here. In addition, the Chief said that homelessness is not a crime and there hasn't been any criminal type behavior such as public urination or anything like that. Chief Knott said the department is working with the Mayor's office and a lot of other social services within Bucks County to try to redirect some of these homeless just to make sure they're being cared for.

With regard to the graffiti, Chief Knott noted that they are working diligently with the Public Works Department on this and unmarked police vehicles have been deployed several times in the past few weeks at night to try to find what they believe is the one person doing this.

Mr. Davis added that they had a successful graffiti blitz by the Public Works Department last week and the Borough is making sure to document the time and costs incurred so we can seek remuneration when the CBRPD apprehends this person. He said they are aware of the graffiti, have addressed it, and will continue to address it.

Mayor West commented that what they are trying to do now is to get the different non-profits who deal with homeless people to organize and start communicating better. She said the County is working on a countywide plan, but that's down the road and we need to start communicating better now and find out how our behavior needs to adjust.

Dr. Christine Longhorn, Maple Avenue, said she had a couple of quality of life issues which include people running stop signs throughout the Borough as well as aggressive driving, especially at the speed table at the bottom of the East Street hill. Ms. Longhorn said she hasn't seen any police near it or any of the stop signs lately in town in that area.

Mr. Davis stated that he uses East Street daily that he knew CBRPD had a stop sign enforcement detail there within the last 30 days at any given time. Chief Knott concurred and asked people to remember that the police cover three boroughs, not just one so they are spread thin. He said if you think of all the four-way stop signs just right here within the Borough, it would take a platoon of officers every day. Chief Knott said they are very aware of the complaints and they try to detail as many cars as possible to high violation areas.

Dr. Longhorn said her issue goes back to a 2013 ordinance about people cleaning up after their dogs. She said the ordinance has no bite.

Mr. Davis said the ordinance calls for a fine. Dr. Longhorn acknowledged that, but asked what residents are supposed to do, knock the person down, hold them, and wait for the police to pick them up? Chief Knott replied that any time something like this happens, to immediately grab the phone and dial 911. He said years ago, 911 was marketed for only true emergencies, but now anyone needing the police for any reason should just dial 911. Chief Knott said the call goes to central dispatch and the nearest available police vehicle is dispatched. He said by calling 911, the call is recorded, everything is tracked and in place to start the sequence of events. The Chief said if they're not called, the police can't help so he encouraged people not to minimize incidents, just call 911.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:45 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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