

March 15, 2021
7:00 p.m.

The regular meeting of Doylestown Borough Council was held on the above date and time via a Zoom meeting, with the following members present: Council President Jack O'Brien, Vice President Noni West, and Council Members Ben Bell, Tim Brennan, Larry Browne, Joe Flood, Joe Frederick, Jennifer Jarret, and Wendy Margolis. Also present were Junior Councilperson Ben Morris, Mayor Ron Strouse, Borough Solicitor Ernest Closser and Joanna Waldron, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Engineer Jim Dougherty, 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

1. **Plaque Presentation to Dick Patterson for Service on the Bike/Hike Committee.** Mayor Strouse said that Dick Patterson was a member of the Bike/Hike Committee from 2006 through 2019, which is the period when the whole bike/hike system took off. A plaque had been delivered to Mr. Patterson which commemorates his service and the Mayor took this Zoom opportunity to thank him for his service and dedication, and for his help in development of the present day bike/hike system.

Mr. Patterson said what the Bike/Hike Committee has achieved is really spectacular. He said when it all first started, it was the "not in my back yard" attitude towards the trails and now, that has totally reversed – when people move into the area, the first thing they ask is how close is it to the trails. Mr. Patterson said to him, that is the biggest success story you could have. He said that everything the Committee does will be enjoyed by the community almost forever.

Mr. Patterson said that although he retired from the Committee, he is staying in touch with them and their latest project is the Shady Retreat trail to Broad Street and then into the Borough, which will have cell phone accessibility. Lastly, and he knew the Borough is already involved in this, there is a grant to study the possibility of a trail from Central Park to Pool's Corner, which has been a dream of the Committee for a long time.

Mr. Patterson said that he was honored and proud to be part of the Bike/Hike Committee. He thanked Council for the honor and the plaque. Council members thanked Mr. Patterson for his volunteerism and efforts.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **February 22, 2021 Council Meeting Minutes.** (West-Margolis) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Council is considering an ordinance to provide for the safe and fair enforcement of the possession of small amounts of marijuana. While we may be the first community in Bucks County to consider such an ordinance, we will join communities as diverse as Philadelphia, Pittsburgh, Allentown, Bethlehem, Erie, Folcroft, Harrisburg, Lancaster, Norristown, Phoenixville, State College, Steelton, West Norriton, and York. These are communities much larger than ours and communities that are smaller as well. Some of those communities acted as early as 2014 and two as recently as last year. Around the country, some 60 municipalities have acted in states that have failed to act.

The idea is anything but new. The US National Commission on Marijuana and Drug Abuse first recommended replacing criminal sanctions for minor marijuana-related offenses with the imposition of civil fines in 1972. The idea is not partisan. That Commission was chaired by former Republican Governor Raymond Shafer of Pennsylvania and reported to a Republican President.

We are not taking sides in the debate on the legalization of recreational marijuana when we discuss this issue. We are replacing criminal sanctions for minor marijuana-related offences with the imposition of modest civil fines. Violators will not be subject to a court appearance nor will they be saddled with a criminal conviction or record. We are contributing to criminal justice reform in a small way and we are directing the resources of our police and local courts more appropriately. According to the PA State Police, in 2019, 21,279 people were arrested and charged with possessing less than 30 grams of cannabis (an 11% decline from 2018). The executive director of the PA State Police Chiefs Association has spoken of the need for this kind of reform.

30 grams is just about an ounce (an ounce is 28.5 grams). Possession of more than an ounce can still result in criminal charges and can help separate the users from dealers.

I began with saying that this ordinance provides for fair enforcement. We know that penalties for low-level possession of marijuana inflict unjust harm on poorer people and minorities. Getting arrested can affect employment, education, and housing. While ultimate solutions might rest in Harrisburg, we can contribute to reform in our community by the passage of this ordinance.

PUBLIC SAFETY - Mr. Frederick

1. **Authorization to Advertise Ordinance Prohibiting Certain Turns From the Bucks County Parking Garage and Justice Center Surface Lot.** Mr. Frederick said that the approved final plans for the Bucks County Parking Garage and Justice Center were designed to prohibit certain turning movements onto adjacent Borough streets. He said the prohibitions are: no left turns from the Garage onto Doyle Street, no left turns from the Garage onto Broad Street, no right turns from

the Garage onto Union Street, and no left turns from the Justice Center Surface Lot onto Union Street.

Mr. Frederick said that all of these accesses are designed to physically limit these turns and are marked accordingly. Over time, however, we have received complaints that instances of illegal turns are increasing. He said that when attempting to enforce these prohibitions, it was discovered that they had never been incorporated into our Code of Ordinances and were therefore unenforceable. He said that this ordinance would correct this oversight.

Mr. Frederick said that the Public Safety Committee is recommending that Council authorize the advertisement of the ordinance and if Council wished to follow the recommendation, it could so by motion. (Frederick-Flood) 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 Draft and Advertise Ordinance Adding the East Side of South Clinton Street (State to Oakland) to the Snow Emergency Route. Mr. Frederick said that Chapter 15, Part 7, Section 704 of the Code of Ordinances regulates the streets currently on the Snow Emergency Route. He said that the Borough has received a request to add the east side of South Clinton Street from State to Oakland to the route and the Public Works Department has concurred. He said that this would prohibit parking during declared snow emergencies.

Mr. Frederick said that the Public Safety Committee is recommending that Council authorize the drafting and advertising of the ordinance, and if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne)

Mr. Flood said that once this advertisement approval is given this evening, we are going to contact area residents who may be impacted so that they can come speak to the Public Safety Committee with any concerns. Mr. Davis confirmed he has the list and is ready to go with it.

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 Advertise Ordinance Addressing the Processing and Handling of Minor Nonviolent Possession or Personal Use of a Small Amount of Marijuana. Mr. Frederick said that this ordinance provides that any person committing a nonviolent offense of personal possession or personal use of a small amount of marijuana or marijuana paraphernalia be issued a non-traffic summary citation. Such an offense is currently classified as a misdemeanor. He said that the Public Safety Committee is recommending that Council authorize the advertisement of the ordinance. If Council wishes to follow the recommendation, it can do so by motion. (Frederick-Margolis)

Mr. Flood noted that the Bucks County District Attorney was present at this Zoom meeting and he would like to be heard when the meeting gets to Public Comment.

Mr. Flood said he had issues stemming from the Public Safety meeting. He said the DA was brought into this without allowing him to appear and make his views known and to frame those views as he chose to. Mr. Flood said there was also a 10-minute discussion in the beginning commenting on an email from the Borough Solicitor that the public hadn't seen.

Mr. Flood said he was opposed to the subject ordinance. He felt this body is not the state legislature and this is a job for them. He said the proposed penalties in the ordinance is a \$25 fine for the first three marijuana offenses. He said compare that proposed \$25 fine to someone accused of underage drinking in the Borough, which is a \$500 fine, and a \$1000 penalty for a second offense. He said to him, it didn't make sense. He said he knows there are diversion programs for both. Mr. Flood said that three years ago, there would also have been an additional penalty for those offenses and there would have also been a suspension of driving privileges for 90 days on a first offense and a year for a second offense. He said the state legislature looked at that three years ago and dropped that penalty for those two offenses. He said the state legislature looked at it then and made changes, and it's not like it isn't looking it at right now. Mr. Flood reiterated that he felt this was a job for the state legislature and said he would be voting no on this tonight and on the ordinance's passage.

Mr. Bell asked if voting to advertise the ordinance means yes, we will comply with state's requirement to advertise and that voting no, means we won't comply with that requirement? Mr. Flood said there are proposed ordinances which die in committee, does that mean we're violating the advertising requirement? He said if the vote is no tonight, then we're killing it right here.

Mr. Davis confirmed that the ordinance cannot pass unless it is advertised. He said the question before Council right now is whether to advertise the ordinance. He said it is possible to vote differently for each.

Bucks County District Attorney Matt Weintraub said that state and federal law trump any municipal ordinance. He said that although Council may practically pass an ordinance, there really would be no legal affect of it as long as marijuana is illegal in Pennsylvania for other than medicinal purposes, and illegally federally. He said what Council could do is to direct Chief Knott to deprioritize arrests for marijuana possession and they could do that without having an ordinance on the books. D.A. Weintraub discouraged a wholesale practice of marijuana decriminalization by Council.

D.A. Weintraub said that some facts very critical and germane for Council's consideration is that D.A.'s office currently diverts 100% of Bucks County citizens who are arrested for possession of marijuana into a diversionary treatment program. He said if they successfully complete the program, then their case is dismissed, and if it is a first offense for possession of marijuana, their arrest is also expunged.

D.A. Weintraub said he is tired of losing kids to DUI crashes and overdoses. He said is not an alarmist, but feels when young people see this, they'll get a message that, "hey, we can go smoke up in town now because it's legal," which leads to worse with terrible outcomes. He said, "decriminalization is not the pathway to treatment which is my goal for everybody, to keep them healthy and alive. The District Court program is."

President O'Brien then recognized Diane Rosati, Executive Director of the Bucks County Drugs & Alcohol Commission, who said she echoed D.A. Weintraub concerns about

decriminalization. She asked that the unintended consequences of decriminalization be considered and to trust the data, the science, and the experts. She said there has been an increase in drug overdose deaths, mental health concerns, and increased use of marijuana in Bucks County. She said that marijuana is a gateway drug and if you look at the data, especially the rates of people who started with marijuana and then went on to prescription drugs, heroin, or other drugs, you will see that. She said that schools are seeing an increase in mental health issues connected with marijuana use.

Ms. Rosati noted that their office administers the Act 53 program which is for involuntary commitment of minors when there is drug use. She said of the 26 youth who were involuntarily committed, 24 of them started with using started with marijuana and either continued with that or they progressed to other drugs. She said we have several diversionary programs for minor drug offenses and they completely support early intervention.

Ms. Rosati encouraged Council to view a video by national expert Aaron Weiner, Ph.D. during their consideration process. She said Dr. Weiner discusses the impact of marijuana commercialization in Bucks County and it is fact and evidence based. The video is available at BCDAC.org.

Mr. Bell stated that he could not find the word "decriminalization" anywhere in the ordinance. He asked the Solicitor if, in his view, this is a decriminalization ordinance. Solicitor Closser replied that the word "decriminalization" does not appear in the draft ordinance and that the ordinance itself continues to prohibit the use and possession of small amounts of marijuana in the Borough. He said what the ordinance does, however, is render the potential punishment for violation of that prohibition to a summary offense with fines. He said he thought that is a key issue in distinction from a decriminalization statute.

Mr. Bell then said that the District Attorney expressed concern that a municipality would pass an ordinance that superseded state law. He read the first part of Section 606.D. of the ordinance, "This Part 6 of Chapter 10 of the Borough Code shall not be construed to supersede any existing Pennsylvania or federal law." He asked the Solicitor if, in his view, was that statement correct. Solicitor Closser said yes. He said there is certainly a legal question and argument about state and federal preemption. However, there are a number of other local ordinances that have been in place for a number of years and to their knowledge and research, they either haven't been challenged or they haven't yet made it up to appellate court. Solicitor Closser said in that sense, and he guessed that was the caveat to their opinion, that they this can be read consistently with state law that there is no per se binding precedent at this point.

Resident Lolly Hopwood stated that she knew there is a lot of evidence opposing what Ms. Rosati said about a connection of marijuana being a gateway drug and about marijuana and mental health being linked, which she was disappointed in hearing Ms. Rosati say because mental health issues are very much a separate issue. She said that regarding D.A. Weintraub's comments about having the police making the decision, as someone who is an activist in the community, it concerns her that if this became a case-by-case basis, it would perpetuate racism as well as some

unfortunate culls. She said that as a member of the community and someone who does have friends who work within this field, she thinks that a blanket ordinance does make more sense to protect our citizens in a more inclusive way.

Ms. Hopwood said she was curious as to what Ms. West had to say because she knew Ms. West works in drug and alcohol recovery. Ms. West replied that she understands the concern about gateway drugs. She said her concern and interest is more in keeping people out of the criminal justice system and not giving them records for what is a small amount of marijuana, and she felt that's where her impetus comes from in supporting this. Ms. West further said that, for clarification, Council is voting tonight whether to advertise the ordinance, not its passage. She said her understanding is that there will be another opportunity to vet all of the information received and discuss it in more detail in the next Public Safety meeting. Ms. Margolis said that was her understand as well, and that D.A. Weintraub would be invited to that Public Safety meeting.

With no further comments from Council, Staff, or the public, President O'Brien emphasized, as stated multiple times tonight, that the vote was for authorization to advertise the ordinance, not the passage. He called the vote and there was one "No" vote cast by Mr. Flood. The motion passed.

4. The **Doylestown Fire Co. No. 1 Report** showed there were 16 incidents requiring the Fire Company's response in February 2021.

PUBLIC WORKS AND ADMINISTRATION - Mr. Flood

1. **2021 Milling Bids.** Mr. Flood reported that on February 12, 2021, bids were opened for the milling of roads for the 2021 paving season. [A tabulation of seven bids was provided.] Mr. Flood said that it is recommended that the Borough award the base bid to the lowest bidder, A Giuliani Equip. Co. He said that if Council wished to award the bid to the low bidder, A Giuliani Equip. Co. at a price of \$28,896.00, conditioned upon receipt of a properly executed performance bond and compliance with bid specifications, it could do so by motion. (Flood-Frederick) With no further comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **2021 Surplus Equipment Auction Sales.** Mr. Flood stated this report, which is available to the public by accessing the Council packet on the Borough website, shows the Borough received some nice cash for used equipment.

3. **Public Works Monthly Report.** Mr. Flood said that the Work Order Report and the Fleet Services Report were provided. He noted that these reports are also available to the public by following the packet link noted on this meeting's Agenda.

Mr. Flood then asked Mr. Ehlinger for any comments he had on the reports or on the Broad Street Project. Mr. Ehlinger pointed out that the first item on the Surplus Sales report was the loader the Borough purchased to move and load all the soil from DelVal University and then spread it on the Borough side. He said they got a lot of use out of the loader and then turned

around and sold it for a profit, which he thought that was pretty remarkable. Mr. Ehlinger commented that the rest of the items were old, but still brought some money in for the Borough.

Mr. Ehlinger said that the department is shifting modes into the spring and will start street sweeping regularly probably the first week of April.

Mr. Davis commented that he couldn't emphasize enough that when they were trying to figure out where the money was going to come from to rent this piece of equipment for a single job, Mr. Ehlinger came to him with the crazy idea that instead of spending thousands of dollars to rent it, to just buy one and then sell it. Mr. Davis said he thought it's absolutely remarkable that not only didn't we have to rent an expensive piece of equipment, but we made over \$2000 on the exchange.

Ms. Margolis asked when the branch pickup would be. Mr. Ehlinger said that had not yet been scheduled, but it could be possibly late April.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

1. **2021 Farmers' Market License Agreement.** Mr. Bell said this agreement provides for the Saturday morning Farmers' Market on Hamilton Street by the Bucks County Foodshed Alliance. He said that all provisions of the agreement are unchanged from previous years.

Mr. Bell stated that the Community and Governmental Affairs Committee has reviewed the agreement and is recommending its approval, and if Council wished to follow the recommendation, it could do so by motion. (Bell-West) 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 Ordinance Providing for a Student Member of the Human Relations Commission (HRC).** Mr. Bell said that this ordinance provides for a student member of the HRC, which is currently the only advisory board without a student member. He said that HRC and Council's Community and Governmental Affairs Committee are recommending that Council authorize the advertisement of the ordinance, and if Council wished to follow the recommendation, it could do so by motion. (Bell-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

ZONING AND PLANNING

1. **Authorization to Advertise Ordinance Creating a Zoning Overlay District and Establishing Use, Dimensional, and Environmental Requirements for the Broad Street Gateway Overlay District.** Mr. Brennan said that this draft ordinance creates a zoning overlay district and establishes use, dimensional, and environmental requirements for the Broad Street Gateway Overlay District. He said the draft ordinance permits mixed-use commercial and multi-family housing in exchange for environmentally sensitive performance standards and context-sensitive design. The zoning overlay would facilitate the proposed redevelopment of the seven-acre former Intelligencer property as well as future redevelopment of adjacent industrial properties.

Mr. Brennan said that the proposed district would continue the implementation of several goals in the Borough's Comprehensive Plan, most specifically housing goals - to encourage higher residential densities toward the center of the Borough, adjacent to or within the Central Business District and in corridors along several of the major roads, and commercial and industrial goals – to upgrade and transform the appearance of the North Broad Street Corridor with high-quality performance standards and design guidelines and to provide incentives for the redevelopment of obsolete industrial sites.

Mr. Brennan said that after several well-attended meetings, the Borough Planning Commission is in agreement that the overlay is an appropriate land use pattern and that the proposed site redevelopment is consistent with the Comprehensive Plan goals. He said that the Borough Engineer reviewed the Applicant's TIS and concluded that it demonstrates the proposed zoning will not negatively impact the roadway system and that any potential impacts can be adequately mitigated with proper roadway and driveway design, and traffic control devices. Mr. Brennan said that Borough Staff agrees with the recommendations of the Planning Commission and the Borough Engineer.

Mr. Brennan said that the Zoning & Planning Committee recommends authorizing advertisement of the ordinance, and if Council is in agreement with the recommendation, it may authorize advertisement by motion. (Brennan-Margolis)

Mr. Bell commented that it struck him as a good thing that Council is looking at ordinances that would advance the implementation of goals that were originally drafted in the Comprehensive Plan. He asked when those goals were drafted. Ms. Hyland replied that the update to the Comprehensive Plan was completed in the mid-90s. Mr. Davis concurred with Ms. Hyland, and added that just before that, there was a separate study done of the future and redevelopment of the Broad Street Corridor funded by the County of Bucks, which dovetailed with the Comprehensive Plan. He said it actually was an update and amendment to the existing Comprehensive Plan, with several areas of focus, the most prominent being the North Broad Street Corridor. Mr. Davis said there was a Revitalization Plan done at the same time focusing on downtown beautification, walkability, and those types of things. He said that although a lot has been done, we're still implementing the recommendations to this day.

Mr. Bell said he thought it to be prudent to consider a comprehensive plan reboot so that ordinances we're enacting 25 years from now are in service of those objectives, not servicing objectives from 25 years ago. Mr. O'Brien said he believed this has been talked about over the years, and it's always been the financial impact that has deferred that decision. Mr. Davis added that there have been several "visioning sessions" to determine what the focus of the update would be and determining the focus of the study would be the first step.

Mr. Brennan thought the cost was around \$40,000 and asked if there are any new sources for funding. Mr. Davis said it varies a lot, depending on what you want to do, how you want to go about it, in-house involvement from your Planning Staff, hire from the outside, what your scope is, etc. Mr. Davis thought that the last time it was talked about, it would be a rather

modest procedure to look at a couple different areas, but it really depends on what you want to do and how you want to do it.

Ms. West said she thought from talks over the years that everyone realized we need to do Comprehensive Plan, but then the Broad Street Project happened, which has totally consumed Staff's time which is critical to developing a plan. She thought perhaps when that project is complete, we could then turn our attention to the Comprehensive Plan. Mr. Davis said that could be done if Council desired. He emphasized that Council would need to set a scope of what the next update needs to consider. He said that several subjects have been discussed and we need to pull that together to an agreed upon scope.

Mr. Flood said he felt an awful lot is going on in Doylestown right now and it may be good to let it play out and see what happens some period of time afterwards to then make broader decisions.

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** Mr. Brennan deferred to Ms. Hyland, who stated that the Doylestown Borough Zoning Hearing Board will meet twice this month, first on March 17, 2021, via Zoom, to hear the following applications: 277 Maple Avenue, Michelle Berrong and David Bader, who request a variance to permit less than the rear yard setback required to allow them to convert a garage into living space; 172 Lafayette Street, Anthony and Karen Sandone, who request variances to facilitate the construction of an outdoor covered patio area with kitchen and pergola to the rear of the house on the property; 255 North West Street, Jude Viscontto, who would like to building a front porch and is requesting relief from the front yard setback requirement.

Ms. Hyland said the Doylestown Borough Zoning Hearing Board will then meet again on March 30, 2021, via Zoom, to hear the following applications: 29 North Church Street, First Church of Christ Scientists, Doylestown. She said this application has been discussed in the past and Council authorized the Borough Solicitor to represent the Borough at that hearing; 47 West Oakland Avenue, 23 Holdings Group, LLC and Thomas and Deana Corrigan, to convert a building within the Central Commercial Zoning District to a single-family detached residential use; 339 South Main Street, Peoples Security Bank and Trust, which is the former Wawa, and they would like to move a bank across the street – it's currently on the same side of Main Street, but on the north side of Clemens.

3. **HARB Certificates of Appropriateness.** Mr. Brennan said that at its regular monthly meeting, the Borough of Doylestown Historical & Architectural Review Board (HARB) recommended the following: Sign Applications: 130 South Clinton Street, Modern Male Barbershop, and 132 Veterans Lane, Trash Culture, LLC, both recommended for issuance of a Certificate of Appropriateness; and, Building Application: 171 Washington Street, for siding, roofing, and windows, by Peter & Diane Place - recommended for issuance of a Certificate of Appropriateness for windows in front to be replaced with black windows then paint the remaining

windows black or replace all windows in white, replace front porch roof and pent roof with black standing seam metal roof, and replace siding with smooth vertical hardie plank.

Mr. Brennan said that the Zoning and Planning Committee recommended that Council approve the applications in accordance with HARB's recommendations, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Brennan-Frederick)

Chris Clark, the person who is opening the business, Trash Culture, LLC, asked to clarify that the address as stated was incorrect – it's not 132 Veterans Lane, it's actually 88 South Main, which is the sub-level basement of the old post office building. Mr. Brennan confirmed that 88 South Main was on the application and Ms. Hyland acknowledged the referenced 132 Veterans Lane was her error.

Mr. Flood motioned to pass as amended, confirmed by Mr. O'Brien. With no further comments from Council, Staff, or the public, the vote was called. All were in favor and the amended motion passed unanimously.

3. **Code Enforcement Monthly Activity Report.** Mr. Brennan reported there were 46 residential use and occupancy inspections, four complaints were investigated, four recycling/trash inspections, 26 sidewalk/snow inspections, three litter enforcement, and four fire company issues.

4. **Building Inspection Monthly Report.** Mr. Brennan reported there were 25 building inspections and 58 plan and permit reviews. The total number of permits was 123 and the total cost of permit fees was \$47,430.50.

ENVIRONMENT AND RECREATION - Ms. Margolis

Ms. Margolis reported that the Committee met, but there was nothing to vote on this evening. She commented that they are in discussion about the lawsuit challenging the state's preemption on local plastics ordinances. She hoped to have more on that at the next meeting.

Ms. Margolis next reported that the Household Waste Collection event schedule and has been released. She said the first one is scheduled for April 3, 2021. She said the schedule will be available on the Borough's website and will be sent out via Email and our Facebook page.

WATER UTILITY - Ms. Jarret

Ms. Jarret reported that the Committee did not meet. She said the search continues to fill the Chief Water Operator position.

FINANCE/PENSION - Ms. West

Ms. West stated that the Committee did meet, but she had nothing to report. She then called upon Ms. Brinker for the monthly **Finance Report**. Ms. Brinker reported that the total of all funds expended was \$1,025,705.00. Motion to approve the Finance Report. (West-Flood) 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. **Human Relations Commission (HRC).** Mr. O'Brien stated that charter HRC member Nancy Reilly will be moving outside Doylestown Borough while remaining in the greater Doylestown community. He said that our HRC ordinance requires members to live or work in the Borough itself, meaning that Ms. Reilly will be ineligible to continue to serve.

Mr. O'Brien said that the ordinance, however, also provides for three "ex officio" members who need not reside or work in the Borough. The HRC is requesting that Ms. Reilly be appointed to one of those positions, all of which are open.

Mr. O'Brien said that if Council wished to follow the HRC's recommendation, it could do so by a motion to appoint Nancy Reilly an ex officio member of the Human Relations Commission. (O'Brien-Jarret)

Mr. Browne commented that he was glad we were able to find a way to keep Ms. Reilly involved. Mr. O'Brien agreed and said as one of the founding members, he felt there was a lot of history and experience she brings to the HRC.

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

2. **Doylestown Hospital Authority.** Mr. O'Brien said that the Village Improvement Association has requested the appointment of Andrew Krick, M.D. to the Doylestown Hospital Authority, to fill the vacancy created by Bruce Rutherford's death. He said that Dr. Krick's term will commence on the date of his appointment and will expire on December 31, 2024, the remainder of Mr. Rutherford's term.

Mr. O'Brien said that if Council wished to follow the recommendation of the Village Improvement Association, it could do so by motion. (O'Brien-Flood) 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. Chief Knott: No report other than what was included in the packet. The CBRPD monthly activity report showed there were 882 incidents in the Borough in February 2021, and year-to-date, the Department spent \$837,064.00 and were at 13.47% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS: Mr. Flood wished everyone a happy St. Patrick's Day and asked all to be careful.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION:

At 8:09 p.m., Mr. Davis stated that would be an Executive Session involving potential litigation to consider the zoning appeal of Rich Chase.

At 8:42 p.m., Council returned from Executive Session and Joanna Waldron, Esquire stated that if Council was so inclined, they could entertain a motion to authorize the Borough Manager to enter into a settlement agreement as discussed in the Executive Session for the pending land use appeal for the *Chase* matter at 396 Linden Avenue. (West-Margolis) With no comments being heard, the vote was called. All were in favor and the motion passed unanimously.

ADJOURNMENT

At 8:56 p.m., President O'Brien entertained a motion to adjourn. (Browne -Flood) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

:sa