

January 23, 2023
7:15 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, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Amy Popkin. Also present were Mayor Noni West, Junior Councilperson Brooke Wassmann, 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, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger. Finance Director Caroline Brinker was absent due to her attendance at the Fanny Chapman Board meeting.

Mayor West swore in new Council member Curtis Cowgill. Mr. Cowgill then took his seat at the dais.

SPECIAL PRESENTATIONS:

Mayor West was joined on the floor by Doreen Stratton, a member of the Human Relations Commission (HRC), and Issy Priano, who designed a window cling for the HRC. Ms. Stratton explained the purpose of the HRC is to promote diversity, equality, and inclusion for businesses, tourists, and the residents.

Mayor West then presented a **Certificate of Appreciation** to Issy Priano. She said that, "the display of your logo will serve as a sign of a safe space: where everyone participates equally with mutual respect, free from fear and discrimination." She noted that the cling was presented to the Borough's merchant association, which was very open to the cling concept and are embracing it.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **December 19, 2022 Council Meeting Minutes**. (Browne-Popkin) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Welcome to a fresh start and a new year. The Borough is already ramping up for 2023: reports from the Borough Manager indicate that all departments are on track for activities and plans for the year; Discover Doylestown has already issued applications for the Arts Festival and has collected 96 applications so far; and, in other events, the bike race, the Book Festival, the Pride Festival, the car show, and the fishing dam are all on the drawing board.

As I reflect on 2022, there were so many events that I think of it as the year we shed COVID. We had been sequestered for so long that there was pent up demand to celebrate, socialize and experience our humanity as we once knew it.

And 2022 was a year that expanded the cultural diversity of events in Doylestown. There was: the first Saree Run in the Township, our first Eid Al Fatr observation, the end of Ramadan, hosted at the Mercer, our first Juneteenth celebration hosted at the Mercer, the third year of our Pride Festival, our second Diwali festival, this time hosted at the Mercer, our 109th lighting of the Christmas Tree and arrival of Santa, the first day of Hanukkah was celebrated at the Dreidel in its 19th year, and our first Kwanzaa observation, again hosted at the Mercer.

Doylestown is far more diverse than when I grew up here. Diversity brings disparate ways of thinking together and new ways of approaching solutions. Our events speak to the Borough's mutual respect, embrace of one another's uniqueness and the peaceful coexistence that lives within our own community. It is organic growth of which we can all be proud.

Since it was Martin Luther King Day last Monday, I was looking through his quotes to find one addressing diversity and ran across one from Catherine Pulsifer: "We are all different, which is great because we are all unique. Without diversity life would be very boring."

PUBLIC SAFETY - Mr. Frederick

1. **Consideration of Ordinance No. 2023-1, Creating Residential Permit Parking on Union Street between Shewell Avenue and Hamilton Street.** Mr. Frederick said that this ordinance creates residential permit parking on Union Street between Shewell Avenue and Hamilton Street. He said that a parking study performed by the Central Bucks Regional Police Department determined that this area qualifies for residential permit parking, and a public meeting was also conducted to which all residents of these blocks were invited.

Mr. Frederick said that Council, at its December 19, 2022 meeting, authorized the drafting and advertisement of the ordinance, and the ordinance has since been properly advertised. He said that the Public Safety Committee is recommending that Council adopt Ordinance No. 2023-1, and if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne)

James Lannon, East Ashland Street, asked Chief Knott how the Police Department conducted the traffic study. The Chief replied that they have certain parameters they have to meet to make sure that there are enough cars that are both residents and non-residents, so it quite a complicated formula that is followed, they do it over a couple of weeks time varying the times of the day to try to get a snapshot of what's going on, and then they turn that over to the Public Safety Committee, which discusses it further. Mr. Davis added that there is a certain threshold that must be met to even consider an area for permit parking.

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

2. **Consideration of Ordinance No. 2023-2, Restricting Parking on Union Street Between Shewell Avenue and Hamilton Street.** Mr. Frederick said that Ordinance No. 2023-2 restricts parking on Union Street, both sides, between Shewell Avenue and Hamilton Street from 9:00 a.m. to 5:00 p.m., Monday through Friday. He said that Council authorized the drafting and advertising of this ordinance at their December 19, 2022 meeting, and the ordinance has since been properly advertised. Mr. Frederick said that the Public Safety Committee is recommending that Council adopt Ordinance No. 2023-2, and if Council wished to follow the recommendation, it could do so by motion. (Frederick-Margolis)

To clarify, Mr. O'Brien said that Ordinance No. 2023-1 creates residential permit parking and No. 2023-2 restricts the amount of time you can park there if you don't have a permit. Mr. Davis commented that all but residential permit holders would be subjected to this restriction.

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

3. **Consideration of Ordinance No. 2023-3, Eliminating Parking on West Street From Union Street to Doyle Elementary.** Mr. Frederick said that this ordinance prohibits parking at all times on the west side of West Street from the intersection of West Street and Union Street northwest to the Borough boundary, Doyle Elementary. He said this ordinance will reduce traffic speed by narrowing the vehicular cartway while providing a new transportation and recreation amenity of five foot bike lanes on both sides of West Street.

Mr. Frederick said that Council, at its December 19, 2022 meeting, authorized the drafting and advertisement of the ordinance, and the ordinance has since been properly advertised. He said that the Public Safety Committee is recommending that Council adopt Ordinance No. 2023-3, and if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

4. Mr. Frederick said the last item was the **Doylestown Fire Company monthly report**, which 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 monthly **Public Works Department Report** was provided in Council's packet and he then asked Mr. Ehlinger for comments. Mr. Ehlinger reported that the Public Works Department is working on various maintenance and repair jobs, including tree maintenance work, some water work for the Water Department, and some concrete work.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell: No report.

ZONING AND PLANNING - Ms. Jarret

1. **Consideration of Resolution No. 2023-1, Setting the 2023 Schedule of Downtown Street Events that May Require Temporary Platform Removal.** Ms. Jarret said that Resolution 2023-1 establishes a list of events that may require removal of street platforms in 2023. She said the platform dining ordinance allows the Borough to temporarily suspend licenses for certain scheduled events as well as unforeseen emergencies. Ms. Jarret said that Resolution 2023-1 sets the dates and locations for these scheduled events. She noted that because of the various locations of the events, Staff does not anticipate that any platform will need to be removed more than three times.

Ms. Jarret said that the Zoning & Planning Committee is recommending adoption of Resolution 2023-1, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Jarret-Margolis)

Mr. Davis stated that last year, Doylestown Inn was our only sidewalk platform applicant and they successfully broke down and reinstalled their platform at least twice, which demonstrates it is plausible for these places to break down and reconfigure after public events. If others join in 2023, they'll be able to accommodate the events 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. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Jarret said that the following application was submitted and distributed to the Historical & Architectural Review Board for review. She said that due to the lack of a quorum and inclement weather, the Board did not hold its December 22, 2022 meeting. She said that Borough Staff, in conjunction with feedback received from individual HARB members, recommends issuance of a Certificate of Appropriateness for the sign application of 189 South Main Street, Celina Doucette, for black aluminum terrace fencing compliant with the building code requirements.

Ms. Jarret said that the Zoning & Planning Committee recommends that Council approve the application in accordance with Staff's recommendation, and if Council wished to follow the Committee's recommendation, it could do so by motion. (Jarret-Margolis)

Ms. Popkin clarified that this was a fencing application, not a sign application. Ms. Jarret confirmed that this was in fact for black aluminum fencing railings on a terrace in accordance with the code requirements.

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

3. and 4. Ms. Jarrett stated that the **Code Enforcement Monthly Activity Report** and the **Building Inspection Monthly Report** 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 their meeting was canceled so that members could attend a joint task force meeting from the Township and Borough's Environmental Advisory Councils. She said she and Mr. Livrone attended the meeting and said it's a very exciting joint group that will be working on a plan to mitigate climate change in the area. Ms. Margolis said she's looking forward to hearing more on this.

WATER UTILITY - Mr. Livrone

Mr. Livrone said the Committee did not meet in January, but as the newly appointed Chair of the Committee, he will be meeting with our Chief Water Operator Jeremy Matozzo on Wednesday to get a briefing on the state of the water system and upcoming projects. He invited other Council members and Staff.

Mr. Livrone asked former Chair Jarret if she had any comments. Ms. Jarret said that Mr. Livrone was in very good hands with our wonderful Water Department Staff and she looked forward to him being Chair of the Committee.

Mr. Livrone then asked Mr. Ehlinger if he had any comments, who said that they had the additional chemical pre-fab building delivered this week at Sandy Ridge. He said it will now be fitted and plumbed up. Mr. Ehlinger said, "It's all good in the Water Department, knocking out a lot of repairs; Mr. Matozzo is doing an excellent job."

Mr. Livrone said the next Committee is on Valentine's Day, February 14. He said that after it's advertised, the new start time for the meeting is going to be 6:30 p.m. rather than 6 p.m.

FINANCE/PENSION - Ms. Popkin

1. **2023 COLA for Non-Uniformed Pension Plan Retirees.** Ms. Popkin said that Girard Pension Services, the consultant for the Non-Uniformed Pension Plan, has reviewed the plan in accordance with Ordinance #2011-15 and has provided information on the 2023 cost-of-living adjustment (COLA) to plan recipients, based on the increase in the CPI from October 2021 to October 2022. She said that the amount of the increase for that period is 7.7%, which is a lot. Ms. Popkin said that an annual COLA is optional and such increment "shall not exceed the percentage increase in the appropriate CPI". She said that this benefit may be provided to a retired participant effective the first January following at least one year from the initial date of retirement. Ms. Popkin said that therefore, COLA increases are not guaranteed, and are reviewed by the Finance & Pension Committee on an annual basis.

Ms. Popkin said that a schedule detailing the optional 2023 COLA for eligible retirees was provided in Council's packet. She said that to be eligible, the recipient must have been an employee, not surviving spouse, and must have been in the plan for the full year prior to the proposed increase. Ms. Popkin noted that there were no surviving spouses on the list.

Ms. Popkin said that the Finance & Pension Committee reviewed this item at their January 12, 2023 meeting and are recommending a two percent (2%) COLA to eligible retirees. She said that if Council agrees with the recommendation, it may award the 2023 COLA by motion. (Popkin-Jarret) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **First Amendment to T-Mobile Maplewood Cell Site Lease.** Ms. Popkin said that the merger of T-Mobile and Sprint has resulted in a consolidation of the two carriers' cell sites. She said the agreement, a copy of which was provided in Council's packet, reduces the current rent for the site in exchange for a new five-year base term with the possibility of up to five successive five-year renewal terms. She said the alternative is the termination of this current lease and abandonment of the site.

Ms. Popkin said that the Finance and Pension Committee is recommending the approval of the amendment, and if Council wished to follow the recommendation, it could 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. **Consideration of Resolution No. 2023-2, Confirming the Creation of a Memorials, Bequests, and Gifts Fund for Fanny Chapman Pool Charitable Donations.** Ms. Popkin said that Fanny Chapman Pool is fully financially independent and operates without using any tax dollars for membership or program operations. She said that recently, there has been interest in larger charitable donations to the pool for nonoperating expenses, and the Pool Board felt that a formal Policy and Organization Statement should be put in place. Ms. Popkin commented that there is a family that has pledged an annual donation that will go into this fund.

Ms. Popkin said that this has been reviewed by the Borough Solicitor. She said that the Finance Committee supported the efforts of the Pool Board to encourage community investment in the facility that opened in 1927 and is recommending Council adopt Resolution 2023-2. Motion to adopt Resolution 2023-2. (Popkin-Jarret) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

4. **Finance Report.** Ms. Popkin 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 \$837,349.43. A motion was made 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

Mr. O'Brien said the Personnel Committee meets infrequently, but this month they were busy, having interviewed candidates for the Council vacancy, as well as other board vacancies. He congratulated the newest Council member, Mr. Cowgill.

1. **Appointments to Volunteer Boards.** Mr. O'Brien said that on January 12 and 17, 2023, the Personnel Committee met to interview candidates to fill various board/commission vacancies. As a result of the interviews, the Committee is recommending the following appointments:

<u>Board/Commission</u>	<u>Applicant</u>	<u>Term</u>
Economic Development Advisory Board	Matthew Reece	Full 3-Year Term, 1/23-12/25
Environmental Advisory Council	David Riedel	Full 3-Year Term, 1/23-12/25
Fanny Chapman Pool Board	Dave Ricci	Full 3-Year Term, 1/23-12/25
Fanny Chapman Pool Board	Connor O'Hanlon	Full 3-Year Term, 1/23-12/25
Human Relations Commission	Stefanie O'Mara	Partial Term, 1 Year, 1/23-12/23
Human Relations Commission	Christopher Baccash	Partial Term, 2 Years, 1/23-12/24
Planning Commission	Nick Caramenico	Full 4-Year Term, 01/23-12/26
Planning Commission	Andy Happ	Full 4-Year Term, 01/23-12/26
Planning Commission	Patricia West	Full 4-Year Term, 01/23-12/26
Shade Tree Commission	Lisa Moscherosch	Full 5-Year Term, 1/23-12/27

Student Board Members, for Term May 2023-April 2024

Human Relations Commission	Thomas O'Reilly
Historical and Architectural Review Board	Hayden Morrocco

Junior Councilperson, for Term September 2023-May 2024: Jack Swartley

Mr. O'Brien said that if Council wished to follow the Personnel Committee's recommendations as stated above, it could do so by motion. (O'Brien-Frederick)

Resident James Lannon said he wished to express his appreciation to Council for giving him reinforcements with haste, noting it's going to be a very busy year for the Planning Commission. Ms. Stratton thanked Council for the two new board members on the Human Relations Commission.

Mr. O'Brien noted that although the Committee filled a lot of the positions, there remain some openings.

With no further 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 said the report was provided. The monthly activity report showed there were 949 incidents in the Borough in December 2022, and January through December 2022, the Department spent \$6,769,139.47, and were at 103.33% of their yearly budget.

PRESIDENT'S REPORT

Mr. O'Brien said he wanted to remember David Lausten, who was a member of Council and recently passed away. He said that when he first joined Council, Mr. Lausten was a man he looked

to guidance and how does this all work. Mr. O'Brien said he was very helpful. He offered that the meeting be adjourned in his memory.

OLD BUSINESS: None.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:51 p.m., President O'Brien entertained a motion to adjourn in memory of David Lausten. (Browne-Margolis).

Mr. Frederick commented that he knew Mr. Lausten very well and their wives were friends. He said that the things that Mr. Lausten did in his life, including having two radio stations, being a State Representative in South Dakota, returning here at around age 40 and getting his law license, and he could just go on and on about the things Mr. Lausten accomplished. He said Mr. Lausten will be sorely missed, but will be remembered.

Mr. O'Brien called the vote and the motion to adjourn passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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