

April 15, 2024  
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 Amy Popkin, and Council Members Larry Browne, Robert Kinney, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Elizabeth Wyckoff. Also present were Mayor Noni West, Junior Councilperson Jack Swartley, Borough Solicitor Ernest Closser, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Manager John Davis, Building and Zoning Director Karyn Hyland, Finance Director Caroline Brinker, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, and Chief Water Operator Jeremy Matozzo. Council Member Ben Bell participated in the meeting via Zoom.

### **PLEDGE OF ALLEGIANCE**

### **SPECIAL PRESENTATIONS**

1. **Plaque Presentation for Service to Former Councilperson Curtis Cowgill** for Ward 2 in 2023. Mayor West noted that Mr. Cowgill has also served on the Borough's Vacancy Board, basically from 2008 to the present, the Shade Tree Commission, and the Environmental Advisory Council. Mr. Cowgill thanked Council for allowing him to be part of Council in 2023, said he thoroughly enjoyed the experience, and he was amazed at the professionalism and sense of duty of the Council members.

2. Mayor West presented to **Lois Opdyke a Certificate of Appreciation** and a letter from Karen Young, former Chair of the Revitalization Board, thanking Ms. Opdyke for her service on the Economic Development Board from 2004 to 2023. Ms. Opdyke thanked Council.

3. Mayor West read a **Proclamation Honoring the 100<sup>th</sup> Anniversary of Doylestown Rotary** for raising funds for the War Memorial Field, their support of Doylestown Hospital, the Borough's celebrations and events, their involvement with our youth, and bringing us the Doylestown at Dusk Car Show. Helen Amelsberg, President of the Rotary, was present and introduced other Rotary long-serving members who were in attendance. Ms. Amelsberg gave remarks.

4. **Proclamation Recognizing April 22 as Earth Day.** The Mayor read the proclamation which invites residents to celebrate Earth Day with the Borough's Environmental Advisory Commission at Broad Common Park on April 20, and to do everything possible to reduce consumption of the earth's resources, fight climate change, support green economy initiatives, and encourage others to do the same. Steve Nelson, member of the Borough's Environmental Advisory Council (EAC), was present to accept the Proclamation. On behalf of the EAC, Mr. Nelson thanked Council for supporting Earth Day and welcomed everyone to attend the Borough's first Earth Day Celebration at Broad Commons Park on April 20.

Mr. Livrone thanked each of the Borough's EAC's members by name, along with Staff Karyn Hyland and Caitlin Hernandez for very quickly putting together the upcoming Earth Day event.

### **APPROVAL OF MINUTES**

Mr. O'Brien called for a motion to approve the **March 18, 2024 Council Meeting Minutes**. (Browne-Frederick) The vote was called and the minutes were unanimously approved.

**MAYOR'S REPORT:** None.

### **PUBLIC SAFETY - Mr. Frederick**

Mr. Frederick commented that the Committee did not meet. He said the only item he had 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**

#### **1. Authorization to Advertise Bid: MS4 Sediment Reduction Project at Font Hill.**

Mr. Browne said that the Borough's stormwater collection system is governed by the Municipal Small Separate Storm Sewer System (MS4) permit pollutant reduction requirements. He said that a recent regulations change concerning reduction of sediment loads in the runoff required the Borough to find opportunities to improve stream channels thereby reducing sediment loading. Mr. Browne said that identified was a section of stream channel which drains from the Belmont Square neighborhood and traverses the Font Hill property, mostly in the open front pasture of Font Hill Castle. He said that because Font Hill is a disconnected island of Doylestown Township surrounded by the Borough, it qualifies for reduction of the Borough's sediment loading.

Mr. Browne said that the project is being partially funded by the Federal American Rescue Plan Act (ARPA) infrastructure program.

Mr. Browne said that the first step of the project is a public bid for the proposed work. The Borough's Water Engineer's opinion of probable cost and the draft advertisement for Bids for the Fonthill Post Construction Stormwater Management Improvements were provided. He said it is projected that the sediment load reduction from these water quality improvements will meet or exceed the 20,700 lb/year total suspended solid reduction required by the Borough's current permit.

Following the recommendation of the Public Works and Administration Committee, a motion was made to authorize the advertisement of the bid (Browne-Kinney). With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

**2. 2024-2025 Road Materials Bid.** Mr. Browne said that bids were publicly opened and read on February 27, 2024 by the Bucks County Consortium for the purchase of road materials for

the 2024-25 season. A bids tabulation was provided. Based on the materials, Mr. Browne said that the low bidder is Eureka Stone Quarry, which was also last year's low bid.

Following the recommendation of the Public Works and Administration Committee, a motion was made to award the bid to Eureka, 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.

3. Before turning to Mr. Ehlinger for the **Public Works Monthly Reports**, Mr. Browne gave kudos to the Public Works Department for their help with the egg hunt which included an appearance by our Public Works Assistant Director Dave Burger in an Easter Bunny costume, and also for the Department's help in getting the Borough Dam ready for the first fishing derby of the year. He also noted that spring branch and stick pickup is scheduled for May 1-3, and to go to the Borough's website for more details.

Mr. Ehlinger noted that the Department has been busy doing streetlight underground electrical service repairs, sewer inlet repair work, fixing potholes, scheduled and unscheduled tree take downs, manicuring our ballfields, installing new trash and recycling cans, working with our flower basket program partner DelVal, mowing the grass, and gearing up for stick pickup.

#### **COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell**

Mr. Bell, attending the meeting via Zoom, said that the Committee did not meet. He commented that in addition to May 3 being the last day of the branch/stick pickup, it is also the final day to submit nominations for the Youth Leadership Recognition Program

#### **ZONING AND PLANNING - Ms. Jarret**

1. **Historic & Architectural Review Board (HARB) Recommendations.** Ms. Jarret said that at its regular monthly meeting, the HARB recommended the following for approval as submitted: **Sign Applications:** none; **Building Applications:** 36 North Church Street, windows, with the condition that the front windows be replaced with either Pella Reserve or Anderson with 11/8" or 11/4" mullions, and the third-floor windows be recessed to the original paint line; 101 South West Street, second floor addition; 238 East Court Street, dormer addition, 184 East State Street, exterior renovations, with the condition that the 1-over-1 windows become 6-over-6, and that 2-over-2 and 6-over-6 windows retain the existing patterns. In addition, German siding shall be replaced with German-style siding, either Duration Exterior or equivalent; 235 Washington Street, Bilco door; 24 Taylor Avenue, roof, and gas lanterns were also approved; 73 East Ashland Street, roof and gutters; 192 East State Street, renovation approved as submitted, with the windows to be addressed at a future meeting.

Ms. Jarret said that the HARB 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. (Jarret-Popkin) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Code Enforcement Monthly Activity Report** and 3. **Building Inspection Monthly Report**. Ms. Jarrett stated that these reports were provided in Council's packet and they are available to the public by following the packet link noted on this meeting's Agenda.

#### **ENVIRONMENT AND RECREATION - Ms. Wyckoff**

1. **Doylestown American Legion Post 210 Fee Waiver Request: War Memorial Field.** Ms. Wyckoff said that the Borough of Doylestown is the owner of a 14-acre tract bounded by West State Street, Memorial Drive, and MacFarlane Lane known as War Memorial Field. Gifted to the Borough in 1946, the field and its athletic facilities were established as a living memorial to the sacrifices of our community's veterans for the purpose of benefitting the youth of the Borough. Since its establishment, the use of the field has been governed by agreements between the Borough and the Central Bucks School District (CBSD). She said that the current agreement dates to 1988 and terminates in 2033.

Ms. Wyckoff said that almost since its establishment, the field has been the home to the American Legion Baseball team of Doylestown Albert R. Atkinson Jr. American Legion Post 210's youth baseball team. Although the current agreement does not directly address the team, no field usage fee has ever been required of them by the CBSD.

In February 2024, Legion Baseball was informed by CBSD that a field usage fee would be required for their use of the field in 2024 and beyond. She said that the annual fee is \$7,000, although the CBSD has offered to reduce it to \$3,500 for the first year only. A request from Borough Staff to CBSD Staff to waive the fee has been rejected.

Provided were letters from Post 210 and American Legion Baseball requesting that Borough Council and the Mayor forward a request to the CBSD Board to waive any fees for the use of War Memorial Field.

Following the recommendation of the Environment and Recreation Committee, a motion was made to honor the requests and submit such an appeal to the CBSD Board (Wyckoff-Livrone).

Comments were received. Ashland Street resident and Parks and Recreation Board Chair James Lannon commented the Board discussed this issue extensively and they implore Council to move ahead and appeal this to get the fee waived.

Rick Haring, School Board Director for Region 6 for CBSD, as well as the Chair of the Business and Operations Committee for the School District apologized for this having gotten to the point it is. He committed to Council and the public that this will be on their agenda next week to actually try to resolve and remove the fees and honor what has always been given to the American Legion in the past. Mr. Haring stated that he was "truly sorry that any of our veterans or anyone

had to go through this.” He thanked the Vets for their service and said this was going to get fixed for them.

Steve Ruane, General Manager of Doylestown American Legion Baseball, indicated they were sorry as well. He said it was good to meet Mr. Haring and said they are glad we can get this taken care of and hopefully move forward and play some baseball.

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

#### **WATER UTILITY - Mr. Livrone**

Mr. Livrone reported that the Committee did meet at which time Chief Operator Jeremy Matozzo provided them with an update on the Maplewood Standpipe Project. He said that bids were opened and publicly read for the Maplewood Tank Rehabilitation Project on April 4, 2024. The low bidder was Minoan Industrial LLC of Red Lion, Pa., in the amount of \$642,931.

Following the recommendations of the Water Utility Committee, Water Engineer, Borough Solicitor, and Chief Operator, who had all reviewed the bid and recommended it be awarded to Minoan Industrial conditioned upon compliance with the bid specifications, a motion was so made (Livrone-Kinney). With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

Mr. Kinney expressed his appreciation and commended Mr. Matozzo, who took them on a tour of the well sites last week, and for his time and patience in answering questions. He said Mr. Matozzo is an asset to our community.

#### **FINANCE/PENSION - Ms. Popkin**

Ms. Popkin noted that the Committee did meet and they reviewed the pre-audit 2023 budget. She said there were no actionable items, only the **Finance Report** for which she called upon Finance Director Caroline Brinker. 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 \$848,784.11. 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.

**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 the report was provided. The monthly activity report showed there were 960 incidents in the Borough in March and year-to-date, the Department spent \$1,422,496.30 and were at 19.30% of their yearly budget.

## **PRESIDENT'S REPORT**

Mr. O'Brien commented that we saw tonight how members of the community support each other, and how Mr. Haring stepped up to correct what is an obvious oversight. He commended everyone involved in our community because it's really what makes this the great place that it is.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**OPEN PUBLIC COMMENT:** None.

## **EXECUTIVE SESSION**

Mr. O'Brien announced there would be an Executive Session regarding potential litigation, but there was no action was expected.

## **ADJOURNMENT**

At 7:37 p.m., President O'Brien entertained a motion to adjourn (Browne-Frederick). The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis  
Borough Manager

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