

November 16, 2020
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 Manager John Davis, Joanna Waldron, Esquire for Borough Solicitor Ernest Closser, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Engineer Jim Dougherty, Building and Zoning Director Karyn Hyland, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, Water Director Chris Norris, and Finance Director Caroline Brinker.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS: None.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **October 19, 2020 Council Meeting Minutes**. (West-Browne) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Mayor Strouse stated that he circulated his report to everyone at this meeting and is requesting, if there are no objections, that the report be made part of the minutes. There were no objections and no motion to do so was required.

Mayor's Report, November 16, 2020

We need to work now to keep patients out of the hallways of our hospitals and keep U-Haul trucks away from the closed doors of restaurants and retail shops.

From the very beginning of this pandemic, we have been first and foremost focused on the health and safety of our residents. Beyond that, we are also focused on identifying and promoting ways that our businesses can operate safely, for staff and customers, and survive this pandemic and thrive once it has ended.

At the core of what we do is cooperation. Of course, that is central to strength in community. Cooperation among businesses that might, in some ways, be competitors, cooperation among residents that see each other's safety actually dependent on the conduct of each other. Cooperation of local government to be supportive and be adaptable to the uncharted climate produced by a novel virus and the new and changing challenges.

I have been asked to deliver talks on comparisons between the flu of 1918 and COVID. There are dramatic differences and there are obvious similarities. In 1918, we experienced required closures, requests to quarantine at home, restrictions on assembly. Of all the requests, the one that met with the most resistance was wearing masks. Then, over 100 years ago, health authorities recognized the value of mask-wearing. Now, we recognize it as the one essential act that we can do for ourselves, our family, and our neighbors. We may be tired of being reminded. Most of us have on some occasion, left the house or gotten out of the car only to realize that we are not wearing our mask. Reminders of safe conduct are good. Positive reinforcement of conduct that keeps our community safe is good as well. When we become complacent and, perhaps, bored, that reinforcement needs to be creative as well as flexible. Hopefully, the second wave, or third wave, will be short-lived. (The second, most serious wave of the novel 1918 virus lasted about a month in Doylestown.) So, whether it be signage or messaging or full-throttled attempts to encourage masking, our attempts to encourage community compliance needs to be creative, nuanced, and adaptable. These are not qualities that government is usually known to display. Our businesses are going to need to display and practice safe practices for their customers and staff. Working together, we need to make that known throughout the region to encourage people to take advantage of our safe shopping opportunities. We worked with restaurants and retailers throughout the good weather months with street closures and sidewalk dining and dining in spaces that would normally be reserved for parking. Now, patronizing our restaurants will be more challenging and safe takeout may become more important in the mix that will help see restaurants through the crisis. We need to live in the present with this disease. New rules and more strict measures may be on the way. Communities will choose to embrace them differently. They will not be enough without cooperation from everyone. There may be some place for an exception but there is no place for an excuse.

We do not fully control our own destiny. We are partners with our residents, with those who visit and work in the Borough, with our businesses, with Doylestown Health, and also with the Pennsylvania Department of Health, the CDC and many others. It is essential that we utilize these relationships, to practice the meaning of "we are all in this together". That is how we get through it more quickly and safely.

PUBLIC SAFETY - Mr. Frederick

1. **Authorization to Advertise Ordinance Adding South Main Street and the Route 202 Bypass to the Inventory of Borough Traffic Signals.** Mr. Frederick said that with the activation of the new traffic signal at South Main Street and the Route 202 Bypass, an ordinance is required to add it to our inventory and to allow for enforcement. [A draft ordinance was provided.]

Mr. Frederick said that if Council wished to authorize the advertisement of the ordinance, 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.

2. **Authorization to Advertise Ordinance Creating a Handicap Parking Space on Broad Street at East Court Street** . Mr. Frederick stated that the owner of the property at 68 East Court Street, located at the corner of East Court and Broad Streets, is requesting that the metered parking space on the west side of Broad Street, just south of its intersection with the East Court Street, be converted to a handicap parking space. The space would remain metered.

Mr. Frederick said that the office property recently underwent significant renovations that included a new handicap ramp along its Broad Street frontage and other accessibility improvements. He said that a tenant of the property is confined to a wheelchair as are a number of clients who visit the offices.

Mr. Frederick said that if Council wished to authorize the advertisement of the ordinance, 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 Co. No. 1 Report** showed there were 26 incidents requiring the Fire Company's response in October 2020.

PUBLIC WORKS AND ADMINISTRATION - Mr. Flood

1. **Public Works Monthly Report**. Mr. Flood said the Committee did not meet. He said that the Work Order Report and the Fleet Services Report were provided. He noted that if anyone from the public wanted to view the reports, they should just follow the packet link noted on this meeting's Agenda.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell

Mr. Bell reported that the Committee did meet and he shared two of the items from the agenda. The first item is that the Borough Manager conveyed the strong desire of the merchants to continue the Borough's practice of converting metered parking spots to curbside pickup zones. He said that the Committee requested that the Borough Manager pursue a plan to continue making these spaces available, but identify potential deficiencies in their locations to reduce the number of spots, which will reduce the impact of lost revenue to the Borough while largely preserving access to the curbside services.

Mr. Bell stated that the second item is that the Borough is working on concepts to positively message mask-wearing as we confront the deadly spike of infections. He said they're planning on deploying signs in the downtown areas and they're very grateful to our friends at Mind Your Design, who are helping with this concept design.

ZONING AND PLANNING - Mr. Brennan

1. **Application for Minor Subdivision Approval, 54 and 56 South Franklin Street**. Mr. Brennan said that Michael and Denise Frank, owners of the referenced property, propose a lot line change between the two parcels. He said that 54 South Franklin Street currently includes a twin dwelling unit and a garage; 56 South Franklin Street includes the other twin dwelling unit.

Mr. Brennan said that the proposed lot line change will move the garage onto the lot with 56 South Franklin. There are no improvements proposed with this application.

Mr. Brennan said that this application was reviewed by the Zoning and Planning Committee on November 9, 2020, and the Committee recommended approval with the following conditions: (1) that the applicant resolve all outstanding issues in the review letters of the Borough Engineer, Borough Water Engineer, Director of Water, and Bucks County Planning Commission to the satisfaction of staff; and, (2) that the project comply with all applicable regulations including local, state, and federal.

Mr. Brennan said that if Council is in agreement with the Committee, it could grant approval by carrying a motion to do so. (Brennan-Frederick)

Mr. O'Brien commented that the Franks were present at the meeting, and asked if they agreed to the conditions. Mr. and Mrs. Frank stated that they did.

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

3. **HARB Certificates of Appropriateness.** Mr. Brennan said that In light of the COVID-19 pandemic, the Historic and Architectural Review Board did not hold its regular monthly meeting on October 22, 2020. He said that the following applications were submitted for review and have been distributed to the HARB for consideration. Borough staff, in conjunction with feedback received from individual HARB members, makes the following recommendations: **Sign Application:** 135 S. Main Street, L&H Couture, Staff recommends approval as submitted. **Building Application:** 122 Cottage Street, Jodi Bass, for an addition. Mr. Brennan said that the applicant has indicated she will be submitting an application for zoning relief. He said the intent is to use the Certificate of Appropriateness or meeting minutes as an exhibit to a Zoning Hearing Board application. Mr. Brennan said that Staff recommends approval as submitted.

Mr. Brennan said that the Zoning & Planning Committee recommends that Council approve the applications in accordance with Staff's recommendations. If Council is in agreement with the recommendations, it may approve issuance of the certificates by motion. (Brennan-Frederick)

Mr. Bell asked whether Council was approving the HARB application and not the zoning application. Mr. Brennan stated that the zoning is not on, it's just the HARB. Ms. Hyland noted that the applicants acknowledged that they need to get zoning relief for this application. She said they have not yet submitted, but she has been in contact with their attorney.

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

3. **Code Enforcement Monthly Activity Report.** Mr. Brennan reported there were 64 residential and four non-residential use and occupancy inspections, 22 complaints were investigated, one recycling/trash inspection, four litter enforcement, and 10 fire company issues. There were also daily communications with Bucks County Emergency Operations Agency, RPD, Fire, and EMS.

4. **Building Inspection Monthly Report.** Mr. Brennan reported there were 73 building inspections and 61 plan and permit reviews. The total cost of permit fees was \$23,686.50.

ENVIRONMENT AND RECREATION - Ms. Margolis

Ms. Margolis reported that the Committee did not meet, but that they are working with the Shade Tree Commission toward finalizing on some revisions to the Subdivision and Land Development Ordinance relating to the use of native trees and the list of native trees and they expect to have that next month.

Ms. Margolis also said there have been some requests to revisit plastic bag recycling and they will take a look at that.

WATER UTILITY - Ms. Jarret

Ms. Jarret reported the committee did not meet . She said that Mr. Norris' monthly Water Department report was provided and anyone wishing to view that report could access it through the packet link on the meeting's Agenda.

FINANCE/PENSION - Ms. West

1. **Adoption of 2021 Preliminary Budget.** Ms. West said that the Preliminary Budget (copy of which was provided to all Council Members) is to be advertised and will be made available for public inspection at Borough Hall, on the website at www.doylestownborough.net, and Doylestown Borough social media for a minimum of ten (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 21, 2020 Council Meeting.

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

Ms. West said that once the Preliminary Budget is adopted and all changes are finalized, the 2021 Budget Books, with the schedules, will be prepared and presented to Council for the December meeting. She said that if Council wished to adopt and authorize the advertisement of the proposed 2021 Preliminary Budget, it could do so by motion. (West-Bell)

Mr. Frederick asked if on page 11 of the schedule where it says West Oakland Avenue from Pine to State, he thought that should be East Oakland, Pine to State. Mr. Davis concurred and said that change will be made.

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

2. **Adoption of the 2021 Central Bucks Regional Police Department Budget.** Ms. West said that the revised 2021 Central Bucks Regional Police Department Budget as approved and submitted for consideration by the Central Bucks Regional Police Commission had been provided to Council. She said that if Council wished to adopt the 2021 Central Bucks Regional Police

Department Budget, it could do so by motion. (West-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 an Ordinance Setting the 2021 Real Estate Tax Millage Rate.** Ms. West said that in conjunction with the adoption of the Borough's 2021 Preliminary Budget, an ordinance is required to set the tax rate. She said that the year 2021, the General Purpose Tax is 11.095 mills, the Fire Protection Tax is 1.52 mills, the Special Road Fund Tax is 1.00 mills, the Ambulance and Rescue Squad Tax is 0.50 mills, and the Debt Service Tax is 3.725 mills. The total millage will be 17.84.

Ms. West said that if Council wished to authorize the advertisement of the proposed ordinance, it could do so by motion. (West-Bell) With no comments from Council or the public, the vote was called. Hearing a "no" response, Mr. O'Brien asked for a roll call.

Mr. Bell asked for clarification on the vote, that this is to advertise the ordinance. He also asked whether it is legally required to be advertised. Mr. Davis confirmed that the vote is to advertise the ordinance and that it is legally required to be advertised.

Mr. Davis carried out a roll call and said that a "yes" vote was in favor of advertisement of the ordinance setting the 2020 tax rate: Mr. Bell: Yes, Mr. Brennan: Yes, Mr. Browne: Yes, Mr. Flood: No, Mr. Frederick: Yes, Ms. Jarret: Yes, Ms. Margolis: Yes, Ms. West: Yes, and President O'Brien: Yes. Mr. Davis said that the motion carried by a vote of eight to one, and that the ordinance will be advertised.

4. **Authorization to Advertise Ordinance Increasing the Base Parking Fine to Twenty Dollars (\$20.00).** Ms. West said that a draft ordinance increasing the Borough's base parking fine from Ten Dollars (\$10.00) to Twenty Dollars (\$20.00) had been provided to Council. She said that the Finance and Pension Committee is recommending that Council authorize the advertisement of the ordinance, and if Council wished to follow the recommendation, it could do so by motion. (West-Flood) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

5. Ms. West stated that before this meeting, Council met in Executive Session to discuss the **Agreement between the Borough of Doylestown and The Doylestown Borough Employees' Association Affiliated with the American Federation of State, County, and Municipal Employees, AFL-CIO District Council 88** (AFSCME, Local 1598), January 1, 2021 to December 31, 2025. She said that Council's negotiating committee is recommending approval of the agreement, which has already been approved by Local 1598K. Ms. West said that if Council wished to follow the recommendation, it could do so by motion. (West-O'Brien) With no questions or comments from Council or the public, the vote was called. All were in favor and the motion passed unanimously.

6. Ms. West then called upon Ms. Brinker for the monthly **Finance Report**. Ms. Brinker noted that the bills list and prepaid bills list had been provided. She reported that the total of all funds expended was \$758,241.55. Motion to approve the Finance Report. (West-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 reported the Personnel Committee did not meet. He noted, however, that a notice was sent out that we are looking for people who may be interested in filling our Board and Commission vacancies. He said Zoom interviews will be scheduled and he hoped to have a report to that next month. Mr. Davis commented that there are currently six applicants for the vacancies.

PROFESSIONALS' REPORTS

Engineer's Report - Mr. Dougherty: No report.

Solicitor's Report - Ms. Waldron: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. Chief Knott: No report. The CBRPD monthly activity report had been provided to Council, which showed there were 1001 incidents in the Borough in October 2020, and year-to-date, the Department spent \$4,971,010.36 and were at 82.54% of their yearly budget.

PRESIDENT'S REPORT

President O'Brien encouraged everyone to be super cautious in this environment with the Coronavirus peaking. He said the numbers are peaking significantly in our area and he encouraged everyone to be super cautious of social distancing and wear masks when in public. He hoped everyone would have a very Happy Thanksgiving.

OLD BUSINESS:

Mr. Flood said last month he announced that CB West was competing for the Suburban 1 Championship. He said they won for the fourth straight year in their division and came in second in Districts, which any other year other than a Covid year would have put them at States, but unfortunately you had to win Districts to make it to the States this year. Mr. Flood said three girls qualified for the State Championship. He said they had a very successful season.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT: None.

EXECUTIVE SESSION

Mr. O'Brien said that since they already discussed and reported on the AFSCME contract earlier this evening, there was no need for an Executive Session at this point.

ADJOURNMENT

At 7:24 p.m., President O'Brien entertained a motion to adjourn. (Flood-Margolis) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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