

September 20, 2021  
7:00 p.m.

The regular meeting of Doylestown Borough Council was held on the above date and time, with the following members present: Council President Jack O'Brien, Vice President Noni West, and Council Members Ben Bell, Larry Browne, Tim Brennan, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Wendy Margolis. Also present were Mayor Ron Strouse, Borough Solicitor Ernest Closser and Joanna Waldron, Esquire, Borough Engineer Jim Dougherty, Central Bucks Regional Police Department Chief Karl Knott, Borough Manager John Davis, Building and Zoning Director Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger.

The meeting began with a public hearing in the matter of *Application for Intermunicipal Transfer of Restaurant Liquor License to Jasmin LLC*, for the purpose of serving alcohol at their existing restaurant at 62-64 West State Street. In accordance with Pennsylvania's Liquor Code, the Borough must hold a public hearing to receive comments and recommendations. A copy of the application, a copy of the public notice, and a draft of Resolution 2021-7 prepared by the Borough Solicitor had been provided to Council members.

Following the conclusion of the hearing, Borough Council entertained adoption of Resolution 2021-7, which contained the following "Be It Resolved" clauses:

**NOW, THEREFORE, BE IT RESOLVED**, that after consideration of the issues, the Council of the Borough of Doylestown, County of Bucks, Pennsylvania, finds that the transfer of a restaurant liquor license into the Borough of Doylestown by the Application will not be detrimental to the welfare, health, peace and moral of the Doylestown Borough or its residents; and

**BE IT FURTHER RESOLVED**, that the Doylestown Borough Council approves, by adoption of this Resolution, the proposed transfer of restaurant liquor license R-6088, into Doylestown Borough by Jasmin, LLC; and

**BE IT FURTHER RESOLVED** that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board, and all transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board; and

**BE IT FURTHER RESOLVED** that any resolution, or part of resolution, conflicting with this Resolution, shall be and the same is hereby repealed insofar as the same affects this Resolution. This Resolution shall not alter, affect or otherwise modify any other resolution, ordinance or legal requirement setting forth liquor license transfers within the Borough which are not addressed within this Resolution.

Motion to adopt Resolution 2021-7. (O'Brien-Frederick) With no further comments from Council or the public, the vote was called. All were in favor and the motion passed unanimously.

## **COUNCIL MEETING**

Mr. O'Brien said the meeting would now follow the regular program.

## **PLEDGE OF ALLEGIANCE**

## **SPECIAL PRESENTATIONS**

Mayor Strouse welcomed and swore in the Junior Councilperson, Mary Frances McNulty.

## **APPROVAL OF MINUTES**

Mr. O'Brien called for a motion to approve the **August 16, 2021 Council Meeting Minutes**. (Browne-Margolis) The vote was called and the minutes were unanimously approved.

## **MAYOR'S REPORT:**

This is the time of year when we host and welcome many outdoor events, bringing visitors to Doylestown from sometimes great distances.

We started off September with the Doylestown Arts Festival and the Bucks County Classic cycling races. Both of these events required extraordinary planning, in any year, but most of all, as we continue to battle the pandemic. Planning such events during this health crisis required skill and adaptability. A great deal of thanks for a very successful Arts Festival goes to Paul Boger and Kris Boger and a host of volunteers. The Bucks County Classic returned with exciting success due to the hard work of Laura Reppert and the commitment of sponsors.

Outdoor events continue over the next weeks and, without exception, focus on protocols to make those events safer and successful and exciting too.

Indoor events are more challenging. We know of several that have been cancelled, some for the second year in a row. Large indoor gatherings are much more difficult to host and also keep safe for everyone concerned. It is everyone that we need to work to keep safe. These indoor events need to respect the health needs of everyone, regardless of age and underlying health. You may not be at high risk but that makes no difference. Those around you may be. It continues to be not so much about us but rather, about all of us.

The well-worn phrase "we are all in this together" may never have been more meaningful than it is now, as we tire of the pandemic but recognize the need to beat it too. We take direction from the CDC and the Pennsylvania Department of Health, both knowledgeable scientific and health resources. Neither is flawless as the science continues to evolve and we continue to learn more each day. However, from the very beginning, too many months ago, the essential acts to beat the virus have not changed: wash your hands, engage in social distancing, wear masks when possible, and get vaccinated. Vaccinations may give us assurance but safe conduct doesn't end

there. How we conduct ourselves really does define not just healthy community but "community" itself.

We cannot rewrite the history of how we dealt with this pandemic. There are no winners in this battle. However, there are those who handle the battle better than some. None know this better than the people who are putting together community events and truly work to rebuild our businesses and our community. For all of our sakes, we thank them for planning cautiously with the health interests of everyone in mind.

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

**1. Consideration of Ordinance No. 2021-10, Creating Residential Permit Parking Zone on Lacey Avenue (Church to North).** Mr. Frederick said that residents of the multi-family residential property at 12 Lacey Avenue requested the creation of a residential permit parking zone in response to the use of available on-street parking for the storage of vehicles by the auto repair shop across the street, the specific concerns being after hours/overnight parking. He said that a residential permit parking study was conducted by the Central Bucks Regional Police Department which confirmed that Lacey Avenue, on the east side, from Church Street to North Street meets the requirements of a residential permit parking zone. Mr. Frederick said that Ordinance No. 2021-10 was drafted and advertised pursuant to Council's authorization to do so given at its August 16, 2021 meeting.

Mr. Frederick said that the Public Safety Committee is recommending that Council adopt Ordinance No. 2021-10 creating a residential permit parking zone in this location with a resident only parking restriction from 5:00 p.m. to 9:00 a.m. daily. He 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.

#### **PUBLIC WORKS AND ADMINISTRATION - Mr. Browne**

The Work Order Report and the Fleet Services Report were provided and are available to the public by following the packet link noted on this meeting's Agenda.

Mr. Ehlinger provided a report on the new park and a photograph of the progress. Photographs of the September floods at the Borough Dam were also shown.

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

Mr. Bell commented that the Committee did meet. He reminded everyone that the next food drive is scheduled for Friday, October 15, 2021, from 10 am to 1 pm, and he invited everyone to join them.

## ZONING AND PLANNING - Mr. Brennan

1. **Zoning Hearing Board Report** Mr. Brennan deferred to Ms. Hyland, who stated that the Doylestown Borough Zoning Hearing Board will hold a Public Meeting on September 27, 2021 to hear the following applications: 401 South Main Street, by Arcadia Land Company, which requests area, setback, and building height variances for the redevelopment of the property into two single-family semi-detached dwellings and 14 single-family attached dwellings, as well as a shared driveway and parking with the adjacent Main Street Animal Hospital; 228, 236, 238 North Main Street, by Arcadia at Doylestown Holdings 2, LLC, which requests a modification of the condition of approval pursuant to Zoning Hearing Board Decision 2020-19 to the extent necessary because the revised plan reflects a Use 2 - semi-detached dwellings - 12 units. Additional relief is requested, including a use variance to permit single-family semi-detached dwellings, and height and lot coverage variances; and, 480 Maple Avenue, by Zachary and Laura Low, for a variance to permit more than the permitted lot coverage for a pergola to the rear of the house.

2. **Historic & Architectural Review Board (HARB) Recommendations.** Mr. Brennan said that at its meeting held on August 26, 2021, the HARB recommended the following: **Business Sign Application:** 67 North Broad Street, a certificate of appropriateness; and, **Building Applications:** 201 West Court Street, for windows, by property owner Antonio Devido, no recommendation was made by the HARB. Staff recommends approval of a certificate of appropriateness, 105 East State Street, for windows, by property owners Roseann and Don Jones, a certificate of appropriateness, noting that hardware on new shutters will match the existing, 127 West Ashland Street, for an enclosed back porch, by property owners Heather Mahaley and Yves Snoeckx, application was approved with Hardie Plank siding and SDL for the door, a certificate of appropriateness, 76 North Hamilton Street, for a roof, by property owner Chery Thrane, for a standing seam metal porch roof in burgundy dark red, a certificate of appropriateness; and, 91 West Ashland Street, for windows by property owner Pat Taglioni. This application was amended to include aluminum clad wood replacement windows and the third floor will have SDL grill to match existing. The amended application was accepted for a certificate of appropriateness.

Mr. Brennan said that the Zoning and Planning Committee recommended that Council approve the applications in accordance with HARB's and Staff's recommendations, and if Council wished to follow the recommendations, it could do so by motion. (Brennan-Margolis) With no 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 stated that the report had been provided in Council's packet and it is available to the public by following the packet link noted on this meeting's Agenda.

4. **Building Inspection Monthly Report.** Mr. Brennan stated that this report was also provided in Council's packet and it too is available to the public by following the packet link noted on this meeting's Agenda.

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

Ms. Margolis stated that the Committee met this month, but there was no business to act on at this time.

## **WATER UTILITY - Ms. Jarret**

Ms. Jarret stated that the Committee did not meet and she had nothing to report.

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

1. **Disclosure of 2022 Minimum Municipal Obligation to Pension Plan.** Ms. West stated 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, and this must be done by the last business day in September. Ms. West said that the Memorandum provided is intended to satisfy the legal requirements of Act 205.

Ms. West said that the calculation of the 2022 plan cost, or the Minimum Municipal Obligation (MMO), required an estimate of the 2021 W-2 wages of the employees covered by the plan. She said the worksheet provided is an estimate of the plan costs. She said questions on our Non-Uniform Pension costs may be addressed to either the Finance Department or the Staff of Girard Pension Services at 610.821.1331.

Ms. West said that the MMO is the municipality's 2022 bill for this pension plan. The calculated obligation must be paid by December 31, 2022. She said the obligation must be met with General Fund monies or with any General State Aid to Municipal Pensions to which we may be entitled to under Act 205.

Ms. West said the projected 2022 Non-Uniform Pension Obligation is \$217,524. She noted that no action is required by Council.

2. **Consideration of Central Bucks Regional Police Department's 2022 Preliminary Budget.** Ms. West said that the referenced budget 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. She said that the Budget is still a work in progress, relying on multiple assumptions particularly with regard to health insurance and workers' compensation premiums. Ms. West said that as such, the Finance and Pension Committee is recommending that Borough Council reject the First Draft Budget, an action that is anticipated by the Police Commission, and if Council wished to follow the recommendation, 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. **Finance Report.** Ms. West called upon Ms. Brinker for the monthly **Finance Report.** Ms. Brinker reported that the total of all funds expended was \$1,290,918.28. Motion to approve the Finance Report. (West-Frederick) 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 had no report. The CBRPD's monthly report had been included in the packet, which showed there were 1053 incidents in the Borough in August 2021, and year-to-date, the Department spent \$3,375,669.59 and were at 54.32% of their yearly budget.

**PRESIDENT'S REPORT:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**OPEN PUBLIC COMMENT:** None.

#### **EXECUTIVE SESSION**

At 7:47 pm, Borough Council went into Executive Session to discuss litigation. They returned at 9:03 p.m. and no announcement was made.

#### **ADJOURNMENT**

At 9:04 p.m., President O'Brien entertained a motion to adjourn. (Livrone-Brennan) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis  
Borough Manager

:sa