

March 18, 2019
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 Noni West, and Council Members Don Berk, Tim Brennan, Joe Flood, Joe Frederick, Sue Gordon, and Wendy Margolis. Also present were Junior Councilperson Josie Hall, Mayor Ron Strouse, Borough Manager John Davis, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Engineer Jim Dougherty, Water Director Chris Norris, Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger, Director of Building and Zoning Karyn Hyland, and Finance Director Caroline Brinker. Joanna A. Waldron, Esquire was present for Borough Solicitor Jordan Yeager. Councilperson Ben Bell was absent.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

1. **Plaque Presentations for Service on Various Boards/Commissions.** Mayor Strouse remarked that with all our boards and commissions, we have about 100 volunteers at any given time. He said some of them were volunteers for many years and some for a few years, but they are all treasured. The Mayor said we feel somewhat melancholy when they decide it's their last term. Mayor Strouse said this is the occasion when we thank them. He thanked and presented a plaque to Laurie Kaczanowska for her service on the Human Relations Commission, 2014-2018, and Laura Morocco for her service on the Park and Recreation Board, 2006-2018. Mrs. Morocco said if anyone wants to join a board, the Park and Rec Board is amazing. She said Mr. Davis is an awesome leader and he can tell you all the history of Doylestown and she learned so much.

The following board members were unable to attend the meeting, but were gifted plaques for their service: Ken Haas, Fanny Chapman Pool Board, 2016-2018; Kimberly Stever Nelson, Economic Development Advisory Board, 2013-2018; and, Dan Pollner, Parks and Recreation Board, 2014-2018.

2. **Proclamation in Honor of the Dedication and Accomplishments of the Harvey Avenue Crew and Their Annual Super Bowl Food Drive.** Mayor Strouse stated that in 2017, the Greenhaus family of Harvey Avenue acted on an idea they brought back from a trip to Vermont: drop off paper bags with a flyer the day before the Super Bowl asking people to donate food and asking that the bags be placed on the porch on Super Bowl Sunday for someone to pick up. He said they collected about six car loads of non-perishable food, amounting to 2500 pounds for the Food Pantry of the Bucks County Housing Group. The Mayor said that this year, with the cooperation of McCaffrey's, Giant, Weis, Acme, and engaged residents, they gathered about 1800 bags, or 11,000 pounds of food, for the food pantry. He said the Harvey Avenue Crew is now an organized non-profit.

Mayor Strouse said the Harvey Avenue Crew displayed the best efforts toward building a better community, motivated the community, made a positive impact on the nutritional needs and well-being of those most in need, brought credit and pride to Doylestown, and showed a consistent and increasing commitment toward making a difference.

The Mayor said it is with great pride that the Harvey Avenue Crew is commended and thanked for their efforts and success on behalf of those in need and the larger community as well.

APPROVAL OF MINUTES

Ms. West called for a motion to approve the **February 25, 2019 Council Meeting minutes.** (Margolis-West) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT:

Mayor Strouse wanted to give a shout out to Doylestown Fire Company for their stellar fire company pancake breakfast on Saturday morning. He said that we expect a lot from our fire company aside from showing up at every possible hour of the day and night as first responders. They are also engaged in every possible way in terms of community efforts, whether it's putting up a Christmas tree or providing safety and security at one of our events. The Mayor said the Saturday morning pancake breakfast doesn't just start Saturday morning – they go out weeks ahead of that, some of the firemen with their families, selling tickets. He said on that occasion, they should about \$5000 worth of tickets. He said setting up starts during the week for the actual breakfast and that morning, if you're cooking sausage, you show up at about 2 a.m. to get started. Mayor Strouse when all said and done, this year they served 1,773 people. He noted some Council members helped out in that effort, flipping pancakes badly, but the fire company certainly deserves our exceeding appreciation for this one more effort.

PUBLIC SAFETY - Ms. Gordon

1. **Proposed Amendments to the Central Bucks Regional Police Intergovernmental Cooperation Agreement.** Ms. Gordon stated that copies of a detailed summary of proposed changes to the referenced agreement proposed by New Britain Borough and correspondence from Chalfont Borough Council, which reviewed the changes and declined to approve them, had been provided. She commented that Council should be aware that changes to the Intermunicipal Agreement require unanimous consent. She said Chalfont's action means, therefore, that the proposed changes cannot be implemented regardless of any action Borough Council may take.

Ms. Gordon stated that the Committee reviewed the request from New Britain Borough and is recommending that Council endorse the following response to New Britain Borough. Ms. Gordon made the motion to endorse the letter. She then read the letter addressed to Samantha Bryant, Manager, Borough of New Britain:

This letter will confirm the action of Doylestown Borough Council at their March 18, 2019 meeting, whereby they declined to open the Central Bucks Regional Police Intergovernmental Cooperation Agreement for the changes requested in your letter of January 30, 2019.

Borough Council remains committed to the terms of the current agreement as negotiated by the parties through a lengthy public process and looks forward to working with you and Chalfont Borough in the years ahead.

If you have any questions, please do not hesitate to contact me at the number listed below.

Sincerely,
John H. Davis
Borough Manager

Ms. Gordon noted that a summary of New Britain Borough's requests was provided to Council Members. Mr. Davis commented that he didn't think it necessary to read the entire lengthy list of changes in his summary. He said the financial implications of the requested changes was also provided with his documentation.

Mr. Flood seconded Ms. Gordon's motion. 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. Frederick

1. **Public Works Department Monthly Reports.** Mr. Frederick stated he had no report and then called upon Mr. Ehlinger for his monthly report. Mr. Ehlinger stated that monthly Work Order Report and the Fleet Services Report were provided. He said they have been busy working on various maintenance chores in preparation for the construction season.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Berk

1. **Bucks County Adopt-A-Book Program.** Mr. Berk reported that at the Committee's meeting last week, our newly elected Recorder of Deeds, Robin Robinson, came seeking donations to offset the costs of restoring the county's historic deeds. He said it wasn't on the agenda of any previous office holders and they were heartened to see the proactive program Ms. Robinson set out to do. Mr. Berk said the books, containing records dating back to William Penn and also have some other interesting information like slave records, for instance Quakers who were know to buy slaves in order to free them, have been deteriorating in an old, dusty warehouse. He said once the books are restored, they will be stored in a climate controlled storage space in the Administration Building.

Mr. Berk said the Committee is recommending that Council donate Two Hundred Fifty Dollars (\$250) to the project, and if Council wished to follow the recommendation, it could do so by motion. (Berk-Frederick)

Resident Laurie Kaczanowska said she thought this was a terrific idea.

Mr. O'Brien commented that Ms. Robinson does a presentation where she goes through the process of what is done to restore the books with repairing and removing tape, and applying linen to help reinforce the paper. He said it is quite an extensive process.

It was noted that Ms. Robinson said they are about a million dollars short to do the books. Mr. O'Brien said it is thousands of dollars for each book to do the restoration, so they're struggling. He said the County is paying for some of it, but there's not enough to cover it.

Mr. Berk commented that there are 700 books.

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

2. **Upstander Training Sponsored by the Human Relations Commission.** Mr. Berk stated that information had been provided relative to a community upstander training class that the Human Relations Commission is proposing to sponsor. He said that presented by Peace Praxis, this training would present concrete skills that can be used to safely respond to incidents of bias-motivated harassment in the community.

Mr. Berk stated that the Committee is recommending that Council approve the proposed training and allocate Three Hundred Twenty-Five Dollars (\$325) toward its cost, reducing the per person rate for attendees to Five Dollars (\$5). He said the class is limited to thirty (30) persons. Mr. Berk said that If Council wished to follow the recommendation of the Committee, it could do so by motion. (Berk-Margolis)

Ms. Gordon asked if there was date scheduled. Mr. Davis replied that the tentative date pending this approval is April 29, in this room.

Laurie Kaczanowska thought it is a great idea.

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

ZONING AND PLANNING - Mr. Brennan

1. **Application for Subdivision Approval, Borough House Subdivision, TMP 08-012-005, 440 Borough Mill Hill Road.** Mr. Brennan said that the Borough of Doylestown, successor to Doylestown Sewage System & Water Works, owner of the subject property located in the R-1 Zoning District, is proposing to subdivide the existing 20.46 acre property for the future sale of the existing semi-detached dwelling units. He said that the Zoning Hearing Board granted dimensional and procedural variances associated with the proposed new lots on December 19, 2018. There are no physical improvements proposed with this application.

Mr. Brennan said the Zoning & Planning Committee reviewed the application on March 7, 2019 and recommended preliminary and final approval of the application conditional on the following: (1) that the applicant comply with the conditions of the Zoning Hearing Board's approval, and (2) that the project comply with all applicable building and environmental regulations including local, state, and federal.

Mr. Brennan said that in consideration of the foregoing, the following waivers from the Subdivision and Land Development Ordinance are recommended: (1) Section 404, to allow concurrent preliminary and final plan approval; and, (2) Sections 803(c)(2) and 805(c)(2), to waive the requirements to show certain existing features within 400 feet of the property.

Mr. Brennan said that if Council is in agreement with the Committee's recommendation, it may grant Preliminary and Final Subdivision approval by carrying a motion to do so. (Brennan-Margolis) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. **Resolution for PennDOT Permit Application for Proposed New Traffic Signal at South Main Street and US 202 Southbound Ramps.** Mr. Brennan stated that as part of the package of traffic improvements required for the development for 425 South Main Street for a proposed Wawa, a traffic signal is being installed at the intersection of South Main Street and the 202 southbound ramp. He said that PennDOT requires the host municipality to pass a standard resolution regarding the signal permit. Mr. Brennan said the Committee reviewed Resolution 2019-1, which authorizes and directs the Borough Manager to submit the application for traffic

signal approval to PennDOT, and is recommending its adoption. Mr. Brennan said that if Council agreed, it may adopt the resolution by motion. (Brennan-Gordon)

An audience member asked if the Wawa included gas pumps. Mr. Davis replied yes. When asked how many, Mr. O'Brien replied that it was six pumps, with 12 fueling stations. He noted that this resolution does not address the Wawa in and of itself, it is addressing a traffic light at the intersection with the 202 Bypass.

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

3. **Zoning Hearing Board.** Mr. Brennan deferred to Ms. Hyland, who reported that the Board will meet on March 20, 2019, to hear the continued application for a proposed restaurant in the Lantern Hill community. She said the relief being requested is to allow the restaurant itself and its size, which is 5900 square feet. Ms. Hyland reported that the second application that will be heard is for 680 Stryker Avenue, relief from a front yard setback requirement to allow a covered front entryway. Ms. Hyland said the third application is for 20 and 28 East State Street, the County Theater, requesting relief from parking requirements, as well as dimensional relief for side and rear yard setbacks, and the building footprint.

Mr. Brennan said that with regard to Lantern Hill, Council previously voted to send the Solicitor to that. He noted that has not changed, this is just a continued hearing. He said he knew there has been some discussion between the applicant and the community, and he thought some progress has been made with noise concerns, but thought there were still some things to be addressed with traffic flow and buffering questions. Mr. Brennan said there were a number of residents who showed up at that the last Zoning and Planning meeting regarding that.

Mr. Davis said Mr. Brennan would have an opportunity to discuss this in their Executive Session for litigation, as this was one of the items.

4. **Historic & Architectural Review Board (HARB) Report.** Mr. Brennan said that at their regular monthly meeting, the HARB recommended the issuance of Certificates of Appropriateness for the following applications: Sign Application: Donegal Jewelers, 35 East State Street, for three vinyl window mount business signs; and, Building Application: Hardeep Rai, 261 West Court Street, residential replacement windows. Mr. Brennan said the Zoning and Planning Committee recommends 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-Gordon) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

4. **Code Enforcement Monthly Activity Report.** Mr. Brennan reported there were 26 residential and one non-residential use and occupancy inspections, three complaints were investigated, one recycling inspections, three sidewalk permit inspections, one sidewalk letter, 14 sidewalk/snow inspections, two fire company issues, and three tree removal permits/issues.

5. **Building Inspection Monthly Report.** Mr. Brennan reported there were 81 total permits and a total cost of permit fees of \$10,039.01.

ENVIRONMENT AND RECREATION - Ms. Margolis

1. **Emergency Action Plan (EAP) for Summer Recreation Programs.** Ms. Margolis stated that this plan is procedures to follow in case of an emergency during the programs. She said that the EAP for the Borough's Arts and Crafts and Summer Games Programs at Burpee Park

had been provided. She said recommended by and based on a template provided by our liability insurer, the Delaware Valley Property and Liability Trust, the plan has been adapted to our specific programs and provides guidance for a number of possible emergency scenarios. Ms. Margolis stated that the Park and Recreation Board and the Environment and Recreation Committee have reviewed the plan and are recommending adoption. She said that if Council wished to follow the recommendation, it could do so by motion. (Margolis-Gordon)

Mr. O'Brien commented that he sat through a meeting with representatives of the Delaware Valley Insurance Trust and they were thoroughly professional in their description of the services they provide to our community. He said he was very pleased with that.

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

WATER UTILITY - Mr. Flood

Mr. Flood stated the only thing was the monthly Water Department Report, and he called upon Mr. Norris for that. Mr. Norris reported that there were three water service repairs, 17 water meter repairs, seven house calls, five well house repairs, 10 SCADA System Alarms, four emergency shutoffs, two bulk chemical deliveries, and one power outage. [Visual aids provided] From the front office, he said there were 12 final readings, seven water leak notices sent, eight meter repair notices sent, 205 late payment notices sent, and 38 shutoff notices sent. He said they also had some electrical issues at the Sandy Ridge well house where an electrical short melted through some very heavy gauge wires. He said we lucked out because none of the equipment was damaged in the process, so everything is back up. Mr. Norris said the repairs were nice and cheap.

Mr. Flood remarked "nice and cheap" is good, and asked how it happened. Mr. Norris responded that he is still confused as is our heavy electric well pump contractor. Mr. Flood said we don't want that to happen again, to which Mr. Norris replied that they continue to look into the cause.

Mr. Flood said last month he asked Mr. Norris a question and oddly, as he normally knows the answer to absolutely everything, he didn't know the answer, but Mr. Norris got back to them within 15 minutes with an email answering the question. Mr. Flood said he wanted to acknowledge that and he thanked Mr. Norris.

FINANCE/PENSION - Ms. West

1. **Finance Report.** Ms. West reported that the Committee did meet. She said the Delaware Valley Health Trust gave a really thorough and comprehensive presentation of their health, property, and liability and worker's comp insurances. She said they demonstrated their overall savings when compared to the private insurance marketplace and highlighted their value added benefits to us as members of the Trust. Ms. West said she thought everyone received a copy of the presentation and it really is worth a thorough read because it is extremely comprehensive and also, to her, it made them more than just a line item on the balance sheet that we see during every budget period from September through December.

Ms. West then called upon Ms. Brinker for the monthly finance report. Ms. Brinker reported that the total of all funds expended was \$619,614.76. Motion to approve the Finance

Report. (West-Gordon) 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 - Joanna: No report.

Central Bucks Regional Police Department (CBRPD) Activities Report. The Police Activity Report showed there were 1196 incidents in the Borough in February 2019. The Department spent \$811,958.58 and were at 14.17% of their yearly budget. Chief Knott commented that he had nothing to add.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS

1. **Consideration of Resolution 2019-2, Authorizing an Application to the Community Conservation and Partnership Program: Broad Street Gateway Park.** Mr. Davis said this is a grant application to the Pennsylvania Department of Conservation Natural Resources for a program that would reimburse us up to 50 percent of the acquisition costs of the PennDOT maintenance yard that will become a park. He said this is an eligible project. Mr. Davis said he and our Engineer Jim Dougherty, along with some others from Gilmore and Associates, met with some DCNR representatives on the site. After some back and forth, Mr. Davis said they've concluded that the best course for the application is for it to be a joint application with the Heritage Conservancy, with whom the Borough has a lease for the property, and that's the way the application and resolution are constructed. He said a full copy of the application will be provided prior to its submission, which is due on April 1, but for now the resolution is needed to authorize the application itself. Ms. West moved, seconded by Ms. Margolis.

Mr. Flood commented that this going from a brown field to a public park and he couldn't think of a better use. He said this is a strong application. Mr. Davis replied that they were made to feel pretty good by DCNR about our prospects on this.

Laurie Kaczanowska said this was fantastic.

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

OPEN PUBLIC COMMENT

Mr. Flood said he thought there would be another chance for New Business, but he just wanted to thank the Mayor for recognizing his neighborhood tonight. He said they are a great bunch of people and it is very worthwhile and other neighboring communities are taking this up, he understands, because of the publicity surrounding it. Mr. Flood said one of the reasons why we recommend it is not only to congratulate people for a good well done, but to encourage others to follow in their footsteps and we see that happening.

Mayor Strouse said he now felt that Harvey Avenue is a much longer street than he thought before. (There are a lot of people there.)

EXECUTIVE SESSION

Council adjourned to Executive Session at 7:33 p.m. to discuss the Mazaheri and the Lantern Hill Zoning Hearing Board appeals. Mr. Davis commented that upon their return, there was possible, but not probable action. Upon their return at 8:32 p.m., there was no action taken.

ADJOURNMENT

At 8:33 p.m., Ms. Margolis motioned to adjourn, seconded by Ms. Gordon. The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

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