

November 15, 2021
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 Ben Bell, Tim Brennan, Larry Browne, Joe Frederick, Jennifer Jarret, Dennis Livrone, and Wendy Margolis. Also present were Junior Councilperson Mary Frances McNulty, Mayor Ron Strouse, Joanna Waldron, Esquire for Borough Solicitor Ernest Closser, Central Bucks Regional Police Department Police Chief Karl Knott, Borough Engineer Jim Dougherty, Borough Manager John Davis, Building and Zoning Karyn Hyland, Finance Director Caroline Brinker, and Planning/Public Works Director/Deputy Borough Manager Phil Ehlinger.

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

1. Plaque Presentation to Joe Flood for Service on the Park and Recreation Board and as Councilperson 2006-2009. (The Flood family joined Mayor Strouse on the floor.) President O'Brien commented that he served with Mr. Flood on Council for almost eight years and has known him even longer, having coached together. He said he always found Mr. Flood to be a reasonable person to deal with and this speaks to the nature of type of community we have where we can be on two sides of the aisle and still have a common goal and purpose. Mr. O'Brien commended Mr. Flood on time well-served time on Council.

Mr. Bell commented that when Mr. Flood gave his farewell remarks, he expressed the hope that Council would continue the practice that he started of acknowledging the contributions of our youth sports teams. Mr. Bell said he would continue that practice right now by wishing good luck to the CB East and CB West boys basketball teams whose seasons are starting soon; CB West starts with a tri-scrimmage with Penncrest/Coatesville on November 27, and then CB East tips off with a scrimmage against Hatboro-Horsham on November 30.

Mr. Livrone commented that in addition to being recognized for serving on Council, Mr. Flood was also being recognized for serving on the Park and Recreation Board in 2012-2013. Mr. Livrone said he too was a member, and also Chair, of the Park and Recreation Board and he wanted to thank Mr. Flood for his contributions to that board.

Mayor Strouse said it was great to see Mr. Flood, he is sorely missed, and his service to the Borough was greatly appreciated.

2. 2021 Stewardship Award Plaque Presentation to Dick and Edythe Patterson, 54 North Church Street. (The Pattersons joined Mayor Strouse on the floor.) Mayor Strouse said that the Stewardship Award is a program of the Economic Development Advisory Board where they receive nominations once a year and then the board members go to each nominated property and evaluate the outside of the properties based on their historic significance, contribution to the community, and a host of different criteria. Mr. Strouse said this year the property the board

wishes to honor is owned by Dick and Edythe Patterson, 54 North Church Street. He said the house was built in 1851 and they have lived there for 54 years, during which time they have restored and painted the home in authentic Victorian colors. He said it is immaculately maintained. He thanked the Pattersons for their contributions to the Borough.

Mr. Patterson said that when they bought this house, they committed themselves to making it a real Victoria house and they've been doing that for 54 years. He said they were thankful for the recognition.

3. Proclamation in Appreciation of Paul Boger and the Volunteers of the Doylestown Arts Festival. (Paul and Kris Boger joined Mayor Strouse on the floor.) The Mayor said we take pride in hosting the Doylestown Arts Festival and done so for 30 years. He said this is the largest outdoor event in Doylestown, which draws thousands of people. Mayor Strouse said the festival is organized by Discover Doylestown and it is a tremendous undertaking, driven by its Chair, Paul Boger. He said there are many, many volunteers, beginning with Paul's wife, Kris, and extending to their family and friends. The Proclamation called upon the community to join Mayor Strouse in thanking Paul Boger and the volunteers who organize this premier event.

Mr. Boger thanked everyone for this recognition. He said it would be impossible to do this without his wife and the seven other incredible people on the committee. Mr. Boger said they work on the event from November until about five days after it, so it really is a year long effort. He said he really commended the committee's efforts.

APPROVAL OF MINUTES

Mr. O'Brien called for a motion to approve the **October 18, 2021 Council Meeting Minutes.** (Margolis-Browne) The vote was called and the minutes were unanimously approved.

MAYOR'S REPORT

Mayor Strouse gave the following report:

As elected officials, we often say our first and foremost function is to provide for public safety. I've defined that to include pedestrian safety and safety that comes from such things as speed humps, bike ways, street lighting and stop signs. However, at its core, public safety clearly is associated with our police.

Tonight, Council is asked to approve a budget for the Central Bucks Regional Police Department that nets out in excess of \$6.5 million. Among the three participating municipalities, Doylestown Borough's portion of that budget will be almost \$3.3 million. That \$3.3 million represents just over forty-five percent of the anticipated Doylestown General Fund Budget for 2022.

These figures are substantial. However, without the benefit of regionalization, beginning in September 2015, our costs today would most likely be higher and the quality of police services would certainly not be nearly what we have. From the very

beginning, we expected regionalization to provide for better training and better equipment at a more economical cost than if we had gone it alone as an independent police department. I've been proud to be one of the Borough's representatives on the Central Bucks Regional Police Commission since inception and to have had the responsibility of chairing the Commission three different years.

Under the direction of Chief Knott, we have embarked on changing the culture of the department from para-military management to a culture of change through shared goals. Long before recent events put an additional spotlight on the nature of policing, the Central Bucks Regional Police Department and the Commission was acting to implement self-initiated goals toward Community Policing. Five years ago, we took the lead on behalf of nine police departments in Bucks County to acquire a Department of Justice grant for body-worn-cameras. In 2022, we will replace those cameras and the accompanying software with new and improved technology.

Enhanced training has become a hallmark of our department including de-escalation training, emotional survival training for law enforcement, and autism training for law enforcement. All of the leadership of the department have attended the FBI Law Enforcement Executive Development School. Beyond training, Chief Knott has instituted positive internal changes and with support from the Police Foundation, which I chair, established a two-dog K-9 Corps. The Chief has instituted mandatory foot patrols as well.

With staff support from Denise Spence, we have been consistently and methodically identifying grant opportunities to fund new initiatives that are important to our community. We are often the first in the region. With a Department of Justice grant and additional support from the Police Foundation, we are completing our first year with a Victim Assistance unit, again, as the lead department with several neighboring departments. We have just been awarded a DOJ grant to implement high-tech de-escalation training for ourselves as well as other Bucks County police departments. We are about to complete our new Central Bucks Regional Police Headquarters and with the move before the end of the year, will finish requirements to be fully accredited. Accreditation is a progressive way of helping departments improve overall performance.

Police work is judged by police conduct today. History matters less. There is no opportunity to relax or take pride in past accomplishments although we certainly build on those accomplishments. There is much more to be done and Central Bucks Regional Police Department, like so many other departments close by, struggles to diversify its staff. Nevertheless, I believe we are spending resources wisely and leveraging them to provide a level of public safety and leadership in public safety deserving of respect. It has been an honor to be part of the process over these past years.

PUBLIC SAFETY - Mr. Frederick

1. Authorization to Advertise Ordinance: Warrantless Arrests for Summary Offenses.

Mr. Frederick said that this ordinance promulgates guidelines and procedures for police officers with respect for warrantless arrests and this has been requested by the Central Bucks Regional Police Department and Commission. He said that the Public Safety Committee has reviewed the ordinance and is recommending that Council authorize its advertisement. Mr. Frederick said that if Council wished to follow the recommendation, it could do so by motion. (Frederick-Browne)

Ms. McNulty had a question regarding the language in the ordinance pertaining to the criteria for the releasing of an adult versus a juvenile regarding the warrantless arrest, which is shown as Exhibit A. She said that for an adult, it has three things: they will be released if they pose no threat of immediate physical harm to another person, no harm to themselves, and the officer believes the person will show up for court as required. She said, however, that for a juvenile, it has if they pose no threat of immediate physical harm to themselves and they will show up when required. Ms. McNulty asked if it was intended that for juveniles, there isn't the requirement that they pose no immediate harm to another person.

Mr. Frederick deferred to Chief Knott. The Chief said what is before everyone are well-established rules promulgated in the crimes code. He said we just need to copy what is already a state mandate for accreditation purposes. Chief Knott said the language in the packet is already established law exactly as it reads.

Mr. Bell thought Ms. McNulty raised a great question. He speculated that the reason is that in the case of a juvenile, the judgment for the level of harm they may or may not pose is reserved to the parent or guardian to whom the juvenile has to be released.

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

2. The Doylestown Fire Company report was provided in Council's packet.

PUBLIC WORKS AND ADMINISTRATION - Mr. Browne

Public Works Monthly Report. Mr. Browne reported that the Committee did meet and at the top of the list was the paving schedule for 2022. He said that it was decided that the following streets, which will also be in the budget packet, will be East Street from Lacey to North, Crestland Terrace, Decatur Street from West to Franklin, North Clinton Street from Doyle to Avenue A, Fonthill Drive, and Long Lane and Jefferson to Lafayette.

Mr. Browne said they also discussed a rain garden proposal and the progress of the new Borough Hall and the park. He said there were no actionable items.

Mr. Browne then asked Mr. Ehlinger for comments. Mr. Ehlinger reported that the department has been busy simultaneously working on the park and picking up leaves. He said Saturday they lost half a day hanging holiday decorations, but they're back on schedule now. He

said the trees are still not all dropping leaves, so they expect the second round of collection to be heavier.

COMMUNITY AND GOVERNMENTAL AFFAIRS - Mr. Bell: No meeting and therefore no report.

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 November 17, 2021, to hear an application for 261 West Court Street, by Hardeep Rai, who would like to build an addition off the second floor of the barn in their backyard, and they are requesting side yard setback and floor area ratio variances to do that.

2. **Historic & Architectural Review Board (HARB) Recommendations.** Mr. Brennan said that at its monthly meeting held on October 29, 2021, the HARB recommended for approval a Building Application for 272 West Oakland Avenue, Mary Kremser, for windows.

Mr. Brennan said that the Zoning & Planning Committee recommended that Council approve the application in accordance with HARB's recommendation. He said that if Council wished to follow the Committee's recommendation, 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 also available to the public by following the packet link noted on this meeting's Agenda.

ENVIRONMENT AND RECREATION - Ms. Margolis

1. **New Park Name Community Survey.** Ms. Margolis said that last month, Borough Council commissioned an online survey to assist in the process of determining a name for the new park on Broad Street. She said the results of that survey were broken down by all respondents and Borough resident respondents only.

Ms. Margolis said that the preferred name from both groups was "Broad Commons" with 62 and 69 percent of respondents respectively ranking it their number one choice.

Ms. Margolis said that the Park and Recreation Board and the Environment and Recreation Committee have reviewed the surveys and are recommending that Borough Council officially name the new park on Broad Street "Broad Commons." She said that if Council wished to follow the recommendation, it could do so by motion. (Margolis-Frederick)

Ms. Margolis commented that they very much appreciate the public's input on this matter. Mr. Davis added that there were 995 respondents, which is a good number. Mr. O'Brien asked that of those 995 respondents, how many were Borough residents. Mr. Davis said it was about 94-95% Borough residents. Mr. O'Brien thought that was a pretty significant percentage.

Mr. O'Brien said to him, the name Broad Commons lacks something. He understands people voted for that name, but to him, the name doesn't bring across to the fact that it is a park, nor does it talk to its location. Mr. O'Brien said he could support Broad Street Commons better, but he wouldn't stand in the way of Broad Commons.

Mr. Bell found it interesting that the second choice was Broad Street Park and wondered if that followed Mr. O'Brien's sentiments.

Ms. West suggested Broad Street Commons and asked if there was a problem with that because it wasn't what people voted for. Mr. O'Brien thought the survey indicated that Council would consider the votes, but it wasn't set hard and fast that we would follow that. Mr. Davis stated the survey language did indicate that it would aid Council in making a decision, but efforts were taken to avoid giving the impression that it would be the sole arbiter of what the name would ultimately be. He noted, however, that Broad Street Commons wasn't actually a choice in the survey.

Mr. Brennan said there was process here and he was happy that we received the public's guidance and felt you take a risk when you try perfecting something.

Ms. West agreed that there was a process and we went through it. She felt everyone has their own tastes, but Broad Commons is the recommendation of two Committees which went through the process.

With no further comments from Council, Staff, or the public, the vote was called to name the new park "Broad Commons". There was one "nay" noted, but the motion did pass.

WATER UTILITY - Ms. Jarret: No meeting and therefore no report.

FINANCE/PENSION - Ms. West

1. Adoption of the 2022 Central Bucks Regional Police Department (CBRPD) Budget.

Ms. West said that the revised 2022 CBRPD Budget as approved and submitted for consideration by the Central Bucks Regional Police Commission had been provided to Council. She said that during the joint Budget/Finance work session held on November 9, 2021, it was recommended that Council approve the 2022 CBRPD Budget as submitted. She said that if Council wished to adopt the 2022 CBRPD Budget, it could do so by motion. (West-Frederick) With no comments from Council, Staff, or the public, the vote was called. All were in favor and the motion passed unanimously.

2. Adoption of 2022 Preliminary Budget. Ms. West said that the 2022 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 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 20, 2021 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 2022 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 2022 Preliminary Budget, it could do so by motion. (West-Margolis) 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.

3. Authorization to Advertise an Ordinance Setting the 2022 Real Estate Tax Millage Rate. Ms. West said that in conjunction with the adoption of the Borough's 2022 Preliminary Budget, an ordinance is required to set the tax rate. She said that the year 2022, the General Purpose Tax is 10.915 mills, the Fire Protection Tax is 1.7 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 mills.

Ms. West said that if Council wished to authorize the advertisement of the proposed ordinance, it could do so by motion. (West-Frederick)

Ms. Margolis confirmed that the total millage is the same as last year.

An audience member questioned how the numbers in millage are determined. Mr. O'Brien said that there are fund categories within the budget and based on what is anticipated in terms of revenue and expense, we work to balance that. He said the total millage remains the same as last year, except one change in the Fire Tax. Mr. Davis clarified that there was a transfer from the General Purpose Tax back to the Fire Tax to restore the number to where it was two years ago. He added that boroughs follow the rules set by the Commonwealth. Mr. Davis said the Commonwealth gives Council the authority to raise taxes for various purposes, including general purposes, fire protection, road paving, and to support the ambulance service. He said Council can only levy taxes for the purposes that the Commonwealth allows. Mr. Davis said that the Commonwealth also dictates how many mills can be assessed for each. He said that within those limitations, Council has to determine how much is needed to carry out those purposes.

Ms. West added that there is history to the millage - there are times when we would have explained in detail what was changed, but nothing has really changed.

Mr. Davis added that another thing to understand is that the total real estate tax bill includes county and school district taxes. He said Borough taxes are the smallest percentage of the total tax bill at about 11%.

Mr. Bell noted that in the preamble to the draft budget that is online, it shows the schedule for the budget meetings at which the issues are really discussed. He said if anyone is interested, these meetings start in October and they're open to the public; you could get a better insight on how it all works.

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

4. Authorization to Advertise an Ordinance Setting the 2022 Water Rates. Ms. West stated that in conjunction with the adoption of the 2022 Preliminary Budget, an ordinance setting

the water rates is required. Motion to authorize the advertisement of ordinance. (West-Frederick) With no comments from Council, Staff, or the public, Mr. O'Brien called the vote. All were in favor and the motion passed unanimously.

5. **Finance Report.** Ms. West called upon Ms. Brinker for the monthly **Finance Report.** Ms. Brinker reported that the total of all funds expended was \$1,371,277.84. 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: No report.

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 other than what was included in the packet. The CBRPD monthly activity report showed there were 1055 incidents in the Borough in October 2021, and year-to-date, the Department spent \$4,991,179.70, and were at 80.32% of their yearly budget.

PRESIDENT'S REPORT: None.

OLD BUSINESS: None.

NEW BUSINESS: None.

OPEN PUBLIC COMMENT

With regard to naming of the park, an audience member thought that a persuasive piece of the information was the public response to the poll. He inquired whether the results were shared with the public. Mr. Davis said that the survey results and the information that Council has chosen the name of the park will go out tomorrow.

EXECUTIVE SESSION: None.

ADJOURNMENT

At 7:44 p.m., President O'Brien entertained a motion to adjourn. (West-Browne) The vote was called and the motion passed unanimously.

Respectfully submitted,

John H. Davis
Borough Manager

:sa