

Public Safety Committee
Meeting Minutes
Wednesday, March 10, 2021 7:00 p.m.

Present: Committee Members Joe Frederick, Wendy Margolis, Larry Browne, and Joe Flood, as well as Councilperson Ben Bell and Noni West, Borough Manager John Davis, Borough Council President Jack O'Brien, Mayor Ron Strouse, CBRPD Chief Karl Knott, Captain Robert Milligan, and Borough Fire Marshall Scott Fleischer

The **Minutes** of the February 2021 meeting were unanimously approved on a motion from Wendy Margolis and seconded by Joe Flood.

Alternative Marijuana Enforcement Draft Ordinance

John reviewed the draft ordinance along with Borough Counsel, Bucky Closser. Since the last meeting, CBRPD staff and Bucky worked out a fine structure as well as responsibility of testing fees along with how to handle juvenile enforcement. Bucky went over the details of the draft ordinance, which is based on the Norristown ordinance already in place. Penalties for small amounts of personal use marijuana would equate to a summary offense and a ticket of \$25 rather than a more serious misdemeanor. Once three \$25 citations are received within a five year period, a fourth charge would equate to a misdemeanor charge. Theresa Golding attended the meeting as well to discuss the idea of preemptions regarding passing this ordinance. This will not make marijuana legal, but will decrease the punishment within the Borough.

Crandall Jones, Norristown Administrator, spoke on how the ordinance worked in his jurisdiction. There has been support from residents and no negative input from the District Attorney's office. The Borough Council was fully supportive as well. In response to questions from Mayor Strouse, Mr. Jones explained the budget didn't seem to be affected by the new ordinance, but work involved in marijuana possession charges was decreased for the police department. Regarding testing fees should a ticket be challenged, Norristown hasn't had any challenges so testing costs have not been an issue.

As will be clarified in the ordinance, testing costs would be passed through to the defendant when testing is requested, unless it is found to not be marijuana. Confiscation of the marijuana will occur at the time; Bucky doesn't see that would need to be part of the ordinance. Possession of marijuana with a presented medical marijuana card is legal, although at this point, using the marijuana while driving would still be considered a DUI.

Staff of the State District Attorney's Office has informally opposed decreasing the charges because it could indirectly cause the decriminalization marijuana, which would cause a preemption of the law. However, the District Attorney's Office has not issued a formal position on the Borough's ordinance or others in the State. There is a diversion program in Bucks County, although these charges would no longer allow for participation in that program, as the program is connected to misdemeanor charges, which this would no longer be.

Nick Disabella from the Bucks County Cannabis Coalition reviewed some questions he has on the ordinance and Bucky reviewed the details. Minors would be detained as with any other summary offense by reaching out to a parent/guardian as well as providing education. Currently, with the same offense without this ordinance, juvenile first time offenders would typically be detained and released to a parent, referred to juvenile court and offered placement with the Youth Aid Panel. If that program is completed, the juvenile would not have a criminal record. With the passing of the new ordinance, there

would be no criminal record and no participation in the Youth Aid panel, although education would be shared.

The Committee discussed the wording of decriminalization marijuana, as the Borough does not have the authority to do so and is not attempting such with this ordinance. Joe Flood would like someone from the State's District Attorney's Office to attend a meeting to discuss the ordinance further. On a motion from Larry, and seconded by Wendy, all members in attendance, with the exception of Joe Flood, who opposed, agreed to recommend that Council advertise the ordinance. All members are fine with offering a representative to the District Attorney's office to attend next month's meeting.

John reviewed a **Draft Ordinance Prohibiting Various Turning Movements**. There is existing signage from the exits from the County parking garages to limit left turns, as well as one exit which prohibits making a right turn, but without an ordinance, the turning rules could not be enforced. On a motion from Joe Flood, seconded by Wendy Margolis, the Committee voted unanimously to forward the ordinance to full Borough Council for final approval.

Snow and Ice Emergency Route Discussion: The existing snow emergency map shows a section of Clinton Street although it is not signed as such. Public Works would like to add the stretch of South Clinton Street between State Street and Oakland Avenue to the snow emergency map. On a motion from Larry Brown, seconded by Wendy Margolis, members voted unanimously to approve the drafting of an ordinance change to include this block.

Mayor Strouse offered an update from the **Central Bucks Regional Police Commission**. Most of their discussion recently involved the Marijuana Enforcement ordinance. It was announced that the police department did run in a surplus which resulted in a small reduction in each municipality's fees.

Chief Knott reviewed upcoming **Public Events** including the Doylestown 5K race on May 29th as well as the Arts Festival to be held September 11-12th. Currently, events are being approved with attached notes that event organizers must adhere to any restrictions in place by the Governor on that particular date. Paul Boger noted all events being planned by Discover Doylestown will follow Governor's orders and are happy to do everything needed to hold successful, safe events.

Old/New Business: John spoke with the owner of the new coffee shop on Main Street regarding his request of two 15 minute parking spaces and that the Committee is not inclined to approve that request. He then requested a curbside pick up sign, which John had previously discussed with the Committee and is in place now.

Adjourned: 8:45 p.m.