

## **DOYLESTOWN TOWNSHIP BOARD OF SUPERVISORS**

### **REGULAR MEETING**

*August 5, 2008*

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:00 P.M. on Tuesday, August 5, 2008 at the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA., Members of the Board of Supervisors in attendance included Barbara N. Lyons, Chairman; E. Thomas Scarborough, Jr., Vice Chairman; Cynthia Philo and Jeffrey Bennett. Others in attendance included Jeffrey Garton, Township Solicitor; Stephen White, Chief of Police; Mario Canales, Township Engineer; and Stephanie Mason, Township Manager. Absent: Supervisor Barbara Eisenhardt.

#### **PLEDGE OF ALLEGIANCE**

Ms. Lyons announced that prior to this meeting, the Board of Supervisors met in Executive Session regarding a personnel matter. Ms. Vile, our Recording Secretary is recording this meeting. Also, this meeting is being tested for future televised meetings.

#### **PRESENTATIONS:**

##### Doylestown Township Park & Recreation Board:

Mr. Bray, Chairman of the Doylestown Township Park & Recreation Board, noted that the Park Board is now at its full complement of seven members of our community. The memo provided to the Board lists our mission statement and projects we would like to implement. He asked for the Board to review the memo and he will come back next month to discuss it. We are planning a park tour to familiarize the Board members with our parks on August 11<sup>th</sup> at 5:30 P.M.

Ms. Lyons commented that if there are any important projects that the Parks & Recreation Board would like to begin, they should inform the Board of Supervisors and include projected costs and any funding sources for it. She asked for the memo to be attached to the minutes.

##### Doylestown Township Telecommunications Advisory Board - Broadcasting

Kurt Krause, Chairman of the Telecommunications Advisory Board, noted that tonight, we are doing a test recording of the meeting, and the first broadcast will begin in September. The installation and configuration has been completed and came under budget. The meetings are to be broadcast live, no editing possible and replayed twice a day. Recordings will be saved digitally for one year. There are three cameras, two for supervisors and one for the audience. The microphones automatically switch to the person who is speaking. We have a stand and wireless microphone for the audience and presenters.

Mr. Bennett asked is there any problem with a live broadcast in the event something inappropriate happens during a meeting? Is there any liability and could there be a delay built into it?

Mr. Krause replied we do not have a delay. It is cable TV so it does not fall under the broadcast regulations, and there is an override function, which enables the chairman to give priority to the microphone.

Mr. Scarborough commented that it is amazing the talent that we have in this Township and he thanked the Telecommunications Advisory Board.

**VISITORS/PUBLIC COMMENT:**

Mardi Harrison, Edison-Furlong Road, asked for a schedule of when the meetings will be televised.

Mr. Krause replied they will be televised twice a day, once during the day and once in the evening.

**ANNOUNCEMENTS:**

Ms. Lyons announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, August 19, 2008.

**MINUTES APPROVAL - July 15, 2008:**

Mr. Scarborough made a MOTION, seconded by Mr. Bennett to approve the minutes of the July 15, 2008 Board of Supervisors Meeting.

Corrections:

Ms. Philo noted that on Page 3, Paragraph 4, there is a misspelling of Mr. Paternostro's name, and on Page 6, she *abstained* from voting on the Board of Supervisors meeting minutes of June 17, 2008.

Mr. Bennett referred to Page 2, Paragraph 5 and clarified that we should gain more insight into the topic to be sure that we are not paying more than our fair share. Page 2, Paragraph 9, - his recollection is that Ms. Mason confirmed that we presently spend the LST as required by the law and that should be added to the minutes. Page 3, Paragraph 1, - second sentence should be deleted. Page 5, Paragraph 5 – the sentence should read as follows: Mr. Bennett raised concerns about the daycare facility specifically traffic, safety and the additional use variance for the play yard.

MOTION to approve the minutes as amended PASSED 4-0.

**CORRESPONDENCE:** None.

**REPORTS:**

**Solicitor:** No report.

**Township Engineer:** No report.

**Police Chief:** No report.

**Township Manager:** No report.

**Supervisors:**

Ms. Philo announced that we had an interview for the open position in District 7 on the Traffic Advisory Committee, and the candidate who was interviewed is willing to serve for this position. She made a MOTION, seconded by Mr. Scarborough to appoint Dennis J. McFadden to the District 7 – Traffic Advisory Committee.

MOTION was ADOPTED 4-0.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

The Pavilion at Doylestown (a.k.a. Hancock) – Request to Reschedule Hearing

Solicitor Garton noted that several months ago, a public hearing was scheduled before the Board based upon the request of the property owner of a property located at Swamp Road and Rt. 263 to be rezoned in part to accommodate the applicant's request to be able to develop a shopping center. The parcels in question were 9-22-139 to rezone from that LI –Industrial to C-2 Commercial and as to parcels 9-28-3; 9-28-2; 9-28-4-1 and 9-28-4, the applicant requests that those parcels be rezoned from C-1 Commercial to C-2 Commercial.

During the hearing, the Board tabled further consideration of this matter due to concerns related to the condition of the application and conditions in Buckingham Township. Tonight, the applicant intends to make a request of the Board with respect to rescheduling another hearing on their application.

David Shafkowitz, Attorney representing the Hancock Group, asked for a continuance of the hearing. We addressed some of the issues with regards to Buckingham Township and with the fiscal impact declaration. He understands there are issues pending about another development that may occur in this area. The applicant is willing to participate in this process.

Solicitor Garton said the Board needs to make a motion to re-advertise a public hearing, and the Board has to provide notice to the Bucks Planning Commission and Doylestown Planning Commission.

Ms. Lyons asked about a date-certain for the hearing.

Solicitor Garton replied it has to be a date certain because notice has to be given to the public.

Ms. Lyons explained that there are plans being proposed now by Temple Judea, Malvern School and this shopping center and she suggested that the representatives from the proposed Hancock Group/Joe Grasso shopping center attend the Doylestown Planning Commission meetings and include representatives from Buckingham Township to participate.

Mr. Shafkowitz replied the request is that if the Board would consider allowing Solicitor Garton to re-advertise for a hearing to be held in 45 days and that date can always be continued.

Solicitor Garton added that if the Board advertises for a date-certain, we can continue proceedings for a period of 60 days. The critical issue is giving the two planning commissions time to comment as per their rights according to the MPC. The Board needs to choose a date in early October or November.

Ms. Philo commented that she would rather see the date be in October.

Ms. Lyons asked for any public comments.

James Bingler, resident, commented that a petition will be circulated and signed. He asked for public meetings with the Planning Commission be held in evening Board meeting and not at their work session.

Ms. Philo made a MOTION, seconded by Mr. Scarborough to authorize Solicitor Garton to re-advertise a public hearing to be held at the second Board of Supervisors meeting in October.

MOTION was ADOPTED 4-0.

SEPTA Reimbursement Agreement (Destination Doylestown)

Solicitor Garton noted that the Township, SEPTA, PennDOT and Delaware Valley College are involved in a project of extending a bike path from the college to Central Park. One of elements is the replacement of the SEPTA overpass bridge on the College campus as a result of a federal grant. During the bidding process, the bids came in higher than the grant and more than the Township is willing to contribute. SEPTA agreed to bare the additional cost to make the project happen. In order to memorialize the understanding between SEPTA and the Township, SEPTA prepared a reimbursement agreement and the amount that they agreed to commit to is \$250,000. Staff recommends approval of the reimbursement agreement.

Mr. Scarborough made a MOTION, seconded by Ms. Philo to approve the reimbursement agreement for the Doylestown Branch Bridge Replacement Project between Doylestown Township and SEPTA.

Ms. Philo clarified that it is not-to-exceed \$250,000.

Solicitor Garton replied that is correct.

MOTION was ADOPTED 4-0.

2008 Oktoberfest –Performer Contracts:

Mr. Scarborough made a MOTION, seconded by Mr. Bennett to approve the 2008 Oktoberfest Performer Contracts.

MOTION was ADOPTED 4-0.

**ANNOUNCEMENTS:**

Ms. Lyons announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, August 19, 2008.

**ADJOURNMENT:** 7:26 P.M.

Respectfully submitted,

Stephanie Mason, Township Manager

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