

**Minutes of the**  
**September 20, 2011**  
**Board of Supervisor's Regular Meeting**

The Regular Meeting of The Doylestown Township Board of Supervisors was held at 7:00 p.m., Tuesday, September 20, 2011 in the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Board of Supervisors in attendance included Chairman; Barbara N. Lyons, Vice Chairman; Richard F. Colello, Supervisors; E. Thomas Scarborough, Jr., Barbara Eisenhardt and Cynthia M. Philo. Others in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Richard E. John, Township Solicitor; Jeffrey P. Garton, Chief of Police; Stephen J. White

Absent: Township Engineer; Mario Canales

**PLEDGE OF ALLEGIANCE**

**PRESENTATION:** Removed from agenda - Proclamation; William D. Manlove

**VISITOR / PUBLIC COMMENTS:**

Resident; Lee Schwarz of 189 Sunset View Drive questioned if the Board will have a new cost study performed for the Police Regionalization as presented in tonight's agenda. Mrs. Lyons responded; the Board will discuss a new resolution for the Department of Community and Economic Development who will need to perform another study with five municipalities instead of the previous four at no cost to the township.

As a member of the Ways and Means Committee, Mr. Schwarz encouraged residents to attend the meetings, which are scheduled the 4th Wednesday of every month. The next meeting will be held in the Municipal Building on September 28<sup>th</sup> at 7:00pm.

Resident; James Bingler of Turkey Lane, Furlong requested the Board's consideration of changing the zoning on the Grasso Tract. Mr. Garton responded the Supervisors can certainly change the zoning, but cannot divest someone's right to a preliminary land development plan once filed by changing the zoning requirements. It will also apply to all future applications. Mr. Bingler then asked if a plan has been submitted by the Grasso Group. Mr. Garton answered; yes, currently there is an application on file.

Mrs. Eisenhardt questioned what would be the risk if the supervisors changed the zoning to R1 District, if for any reason the Grasso Group withdraws their application. Mr. Garton answered; in some cases developers who feel their application was not treated fairly will file civil rights action in a federal court against a township for reasons such as changing the zoning.

A Women's Place award to the Doylestown Township Police Department

Director of Services at A Women's Place; Linda Thomas presented Chief Stephen White and the Doylestown Township Police Department with a plaque in appreciation of their outstanding service, bravery and commitment to the safety of the public and victims of the a Women's Place. Chief White graciously accepted the award on behalf of the police department and thanked everyone involved.

Mrs. Lyons announced A Women's Place 35 year anniversary celebration will take place on October 14<sup>th</sup>.

**ANNOUNCEMENTS:**

The next meeting of the Doylestown Township Board of Supervisors is scheduled for Tuesday, October 4, 2011 at 7:00pm in the Municipal Building.

World Wide Day of Play event will be held on Saturday, September 24<sup>th</sup> (rain date is September 25<sup>th</sup>) from 11:00am until 3:00pm in Central Park.

Community Yard Sale event will be held on Sunday, October 1<sup>st</sup> (rain date is October 2<sup>nd</sup>) from 8:30am until 1:00pm at The Market at Del Val

Howl-O-Ween event will be held on Saturday, October 22<sup>nd</sup> (rain date is October 23<sup>rd</sup>) from 10:00am until 12:30pm at Central Park

Leaf and Yard Waste Recycling for Doylestown Resident Only at Central Park, dates 10/15/11, 11/12/11 and 12/10/11

**MINUTES APPROVAL:**

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt to approve the August 16, 2011, Doylestown Township Board of Supervisors Regular meeting minutes with the following corrections.

Page 4; under Supervisor's Comments – add; Ms. Philo would like to see more police enforcement along the bridge closure along Lower State Road near Castle Valley.

Page 3; under Touhill – Open Space – change motion to read the address as Sandy Ridge Road.

MOTION was ADOPTED 5 to 0.

**CORRESPONDENCE:**

South Woodridge Drive – Traffic Concerns

Chief White explained as per a petition signed by the residents along South Woodbridge Drive in May 2011, a speed recorder was placed in the area from May 10<sup>th</sup> until May 17<sup>th</sup> where 3756 vehicles measured at 29 miles per hour in a 25 mph speed zone at a rate of 600 cars per day. Under the Pennsylvania Vehicle code, Section 3368(c) (4), the police are required to give 10 miles per hour before a driver can be cited for a speeding violation.

Police Chief White recommends the residents of South Woodbridge Drive refer to the Doylestown Township Traffic Advisory Committee and have the Board encourage petition signers to contact the municipality's state elected officials to pass radar legislation, so Pennsylvania will no longer be the only state to prohibit municipality's police from using radar detectors.

Chief White then indicated upon Lieutenant Logan attending the September 14<sup>th</sup> Traffic Advisory Committee meeting, he recommends the allocation of monies from the capital funds to purchase two speed monitoring devices for traffic calming measures along communities of the township. He then asked Ms. Philo to discuss the recommendation further and place a motion to purchase these devices.

Ms. Philo recognized Mark Shiner, Carol Sugars and Joe O'Malley from the Traffic Advisory Committee

who along with the other members worked very hard to resolve the speeding issues in the township. They believe the first step would be to reduce the speed by purchasing speed monitoring devices. With recent studies, it has been proven to show a drastic reduction of speed with more drivers obeying the speed limit when these devices are posted. Currently the township only utilizes one flashing board which only monitors the volume of speeding vehicles. The new speed monitors will assist the township in expanding to other neighborhoods where speeding is a problem. They will also be able to show the speed of oncoming vehicles. Ms. Philo then clarified the monies will be utilized from the Traffic Calming Capital budget of 2011.

Ms. Philo restated the MOTION; the Doylestown Township Board of Supervisors approve the Traffic Advisory Board utilize monies from the Traffic Calming Capital budget of 2011 to purchase two speed monitoring devices.

Mr. Scarborough questioned the cost of the devices. Chief White answered; a radar recorder kit with a laptop will cost \$3,995.00. Without the laptop is \$3,400.00. A traffic solution shield with a display board, which shows the speed to oncoming vehicles, is \$4,890.00. Chief White recommends the purchase of one radar recorder kit without the laptop at \$3,495.00 and a traffic solution shield with display board at \$4,890.00.

Mrs. Lyons asked Ms. Philo to clarify the motion.

Ms. Philo made a MOTION; seconded by Mrs. Lyons the Doylestown Township Board of Supervisors approve the Traffic Advisory Board utilize monies from the 2011 Traffic Calming Capital budget of \$50,000.00 to purchase one Jamar Technologies, Inc Radar Recorder Kit without a laptop and USB serial adapter at \$3,439.00 and one All Traffic Solutions Shield 12 Speed Display Board Data Collection at \$4,890.00 as per the recommendation of Lt. Dean Logan.

Ms. Philo added the new devices are not precluding other types of traffic calming measures the committee may feel would work in similar neighborhoods.

Resident; James Bingler of Turkey Lane questioned if both devices are able to record speeds. Chief White answered; yes, both devices can record speeds, but the solution shield will flash the speed of oncoming vehicles.

Resident; Jacqueline A Hayes of 104 Oak Drive asked for clarification of the devices and how are they similar to the devices currently used. Chief White indicated the devices currently used only records the volume of vehicles. The new devices will also flash the speed to oncoming cars and last longer. Ms. Hayes then asked if the devices will be portable. Chief White indicated the device is smaller and can be used near a shoulder of the road.

Resident; Richard E Harren of 79 Sauerman Road questioned the results of the studies used. Chairman of the Traffic Advisory Committee; Mark Shiner answered; 26 miles per hour.

Resident; Paul Weinberger of 90 Sauerman Road thanked the police for their hard work and indicated the speed is most dangerous on the south bend of Sauerman Road, at the bottom of the hill. He then asked if a three way stop sign should be installed instead of the device. Chief White indicated the Pennsylvania Department of Transportation (Penn Dot) does not recommend a three way stop be installed on Sauerman Road, due to creating more hazardous condition by motorist speeding up to skip through the stop sign. Chief White informed Mr. Weinberger the device will be placed on the south bend side of Sauerman Road.

Resident; Carol D Shugars of 94 Sauerman Road indicated many residents have asked for assurance all data the traffic monitoring devices are working properly and to insure they will be install on the south end of Sauerman Road. Chief White stated the devices will continue to be used for six months on Sauerman Road as well as other communities which need traffic calming measures taken.

MOTION was ADOPTED 5 to 0.

## **REPORTS**

SOLICITOR: No Report

POLICE CHIEF: No Report

TOWNSHIP ENGINEER: No Report

## **TOWNSHIP MANAGER:**

Township Roads Inspection – Need date/Suggest 10/06/11 @ 4:00pm

The Board agreed by consensus to schedule the townships fall road inspection for Thursday, October 6, 2011, beginning at 4:00pm.

Budget Work Session – Need date/Suggest 10/06/11 @ 2:00pm

The Board agreed by consensus to schedule the first Budget Work Session for Thursday, October 6, 2011, beginning at 2:00pm.

Mr. Colello will not be able to attend both meetings.

Mrs. Lyons encouraged the Board to meet with the Ways and Means Committee on September 28<sup>th</sup> at 7:00pm for a preliminary discussion to prepare for the first Budget Work Session. The Board agreed.

## **SUPERVISORS:**

Ms. Philo request the Board consider having Ms. Mason speak to Penn Dot regarding placing a ban on Jake Brakes on tractor trailers in order to cut down on noise pollution. With all the construction scheduled around the township there may be a potential problem from the noise tractor trailers make when stepping on the break retarders that sound like an explosion in a constant fashion until they come to a stop. Bristol, Yardley and Morrisville have taken a proactive step in placing a band preventing vehicles with jake brakes to drive along their municipalities. Ms. Philo also suggested coordinating with Buckingham and Warrington Townships.

Mr. Garton suggested contacting Newtown Police Department who recently had a problem with enforcement in banding these vehicles, because some of the newer trucks the Jake brakes come standard.

Chief White suggested contacting the Officer Don Lawson and Matt Hirshwitz of the police Truck Safety Team so they look into the matter and contact Newtown Police Department and he will report back to the Board within a month. The Board agreed.

Mr. Colello reported beginning in October; the Board of Supervisors meeting will be streamed so residents may view via internet. He then thanked the Park and Recreation Board for their work with

Oktoberfest. Finally, Mr. Colello encouraged to all residents to complete the trash survey available online at [www.doylestownpa.org](http://www.doylestownpa.org).

Mrs. Eisenhardt was recently contacted by one of the Pennsylvania Environmental Group who introduced the Growing Greener plan, which provides funding to improve the township's stormwater management ordinance. With the programs set to expire, Mrs. Eisenhardt asked the Board to support a template of a sample resolution in order to ask State Legislators to renew and fund this program. So far over 40 townships have signed on and Mrs. Eisenhardt would like Doylestown Township to set the precedence for Bucks County.

Mrs. Lyons suggested having township staff review and edits the resolution for Board's approval at the October 4<sup>th</sup> meeting. Mrs. Eisenhardt agreed. Mr. Garton noted the Bucks County Conservation District adopted a similar resolution in favor of growing greener.

Mr. Scarborough reported the Leaf and Yard waste program will now be at Central Park. Not Delaware Valley College as in the past. Mr. Scarborough then requested the Board consider involving themselves in some form to assist with the flooding issues along the township from recent rain storms to avoid reoccurrences.

Mrs. Lyons commended Mr. John and the road crew for a wonderful job in keeping the water flowing and systems open. She then informed the public to check their sewer drains for debris. For larger clearing issues, please call the township for assistance.

Resident; James Bingler questioned if the township has a plan in place in the handling of Black Walnut trees for recycling. Mr. John stated there is no training in place. Mr. Scarborough stated it will be a matter to consider and thanked Mr. Bingler for bringing to the attention of the Board.

Mrs. Lyons announced Doylestown Borough will be celebrating the bicentennial of their being county seat in the spring of 2012. It will be a week-long celebration beginning with the Memorial Day Parade. The township has been willing to assist by hosting one of the events at Central Park. Additional details will be provided as they are received. Mrs. Lyons then reported the Doylestown Township Police contracts expired on December 31, 2010. There have been ongoing negotiations, where the contracts recently went to arbitration. The Board will keep the public informed of the process.

#### **PUBLIC HEARING:**

#### Temple Judea – Consideration of Issuance by Perkasio Borough Industrial Development Authority for Funding

Mr. Garton explained as result of the legislation changing the internal revenue code, where anyone wishing to take advantage of the tax free financing for non-profit organizations must advise the local municipalities for their acknowledgement of the non-profit purpose. The Board will make no commitments or financial obligation. It will not affect any zoning, building or permit issues. The Board will only need to acknowledge the internal revenue code.

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve and acknowledge the issuance of Perkasio Borough Industrial Development Authority Tax-Exempt Note for a facility located in Doylestown Township and authorizing the taking of all such acts not inconsistent with the proposed resolution.

Mr. Scarborough questions if there will be a cost. Mr. Garton indicated there is no cost to the township.

Resident; Joe O'Malley of Rogers Road asked for clarification. Mr. Garton responded; any non-profit organization can apply for non-profit aid, where you have a commitment from a bank. The bank lends money to the authority, where the authority lends money to non-profit organization for a project. The interest that is paid back to the lender is tax free.

MOTION was ADOPTED 5 to 0.

Uniformed Pension Contribution – Pre Tax Ordinance No Action by the Board

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

2012 Financial Requirement and Minimum Municipal Obligation

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors acknowledges receipt and was advised of the 2012 Financial Requirement and Minimum Municipal Obligation for both Uniformed and Non-Uniformed Employees.

The police MMO do not include contributions at the present time.

MOTION was ADOPTED 5 to 0.

Friends of Doylestown Dog Park – Permit Fee Waiver Request

Mrs. Eisenhardt recommends the Board deny the Friends of Doylestown Dog Park request of permit fee waiver and questioned the amount of the permit fee. The Board noted \$859.00. Mrs. Eisenhardt believes the request does not affect the health, safety or welfare of the township, such as EMS, police or the hospital.

Ms. Philo commented the dog park offers the welfare to have activities of enjoyment for a quality of life and should be considered as part of the requirement.

Mrs. Eisenhardt added although she supports the dog park, the program is fully funded by donations and the township should not be responsible for permit fees and does not consider the park in the same line as a hospital for exemptions of fee waivers.

Ms. Philo made a MOTION; the Doylestown Township Board of Supervisors approves the permit fee waiver request from the Friends of Doylestown Dog Park in the amount of \$430.00 and does fall in within the township's requirement with regards to the health, safety and welfare of the residents.

MOTION FAILS, due to a lack of a second.

Regional Police Consolidation

Ms. Philo made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors approves the Department of Community & Economic Development Letter of Intent be submitted to the Governor's Center for Local Government Services requesting technical assistance for the

Bucks County Regional Police Consolidation along with Resolution No. 1589.

MOTION was ADOPTED 5 to 0.

Pine Run Development Agreement

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the Final Land Development Agreement between Doylestown Township and Pine Run Community as recommended by the Township Solicitor; Jeffrey P. Garton.

MOTION was ADOPTED 5 to 0.

Oktoberfest – Bucks County Turk Park III Contract Addendum

Mrs. Lyons informed the public, with rains affecting the first few days of Oktoberfest, the township was trying to add another week, but the weather did not permit it.

Resident; Joe Paternostro questioned if the township received \$50,000.00. Ms. Mason answered; yes the township received the monies.

Penn Dot – Master Casting Agreement

Mrs. Eisenhardt made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors approve the Master Casting Agreement between the Township and Penn Dot for the period of three years (2011 to 2014) as per the recommendation by Director of Operation; Richard E. John.

MOTION was ADOPTED 5 to 0.

Penn DOT – Traffic Signal Maintenance Agreement

Ms. Mason explained as political subdivision of the state, the township agrees to maintain all traffic signal within the township once installed by either a developer or Penn Dot.

Ms. Philo questioned if the temporary traffic light located on New Britain and Lower State Road is considered permanent. Ms. Mason clarified the traffic signal located on New Britain and Lower State Road is not listed on the agreement.

Mrs. Eisenhardt made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors approve the Traffic Signal Agreement between the Township and Commonwealth.

MOTION was ADOPTED 5 to 0.

Land Development – Plan Review Extension Request / York & Swamp Associates

Ms. Mason explained the applicants recently provided a letter indicating they would provide an extension, but was not specific in their request. Ms. Mason spoke with the applicant's attorney requesting a clear extension request prior to the current plan expiring on October 23, 2011. The township has received a letter from David M. Shafkowitz, Esquire requesting a 90 day waiver until January 21, 2012 for the Board's review.

Mrs. Eisenhardt reminded the public, the township closely monitors request for extensions and requires a

certain amount within in a time period that can be approved. She then questioned what will happen if the township does not reply prior to the October 23<sup>rd</sup> deadline? Mr. Garton answered; the Board has a responsibility by law to engage in dialogue with an applicant prior to a deadline. If not, the applicants have a right to file civil action.

Ms. Philo questioned if an applicant is entitled to file request for an extension without reason. Mr. Garton answered; the applicants are requesting time to review comments made from their land development plan.

Mr. Colello made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve York and Swamp Associates (applicants) request for a 90 day waiver until January 21, 2012 for review of the application under the Pennsylvania Municipalities Code.

MOTION was ADOPTED 4 to 1 with Ms. Philo voting nay

#### Bids for Approval

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt to reject the bid from Envirodyne Systems in the amount of \$47,247.00 for the township's 2011 Oil/Water Separator and the bids from Golden, Inc. in the amount of \$15,000.00 and Reilly Sweeping, Inc. in the amount of \$18,990.00 for Street Sweeping services as per the recommendation by Director of Operations; Mr. John.

MOTION was ADOPTED 5 to 0.

Mrs. Eisenhardt made a MOTION; seconded by Ms. Philo to approve the following bids:

Public Works Building	A&K Pole Building, Inc.	\$136,017
Fence, Post & Rails	Pro Max Fence Systems, Inc.	\$27,189.75
Line Painting and Pavement Marking	PSX, Inc.	Not to exceed \$28,820

MOTION was ADOPTED 5 to 0.

#### Zoning Hearing Board – 55 Wilkshire Drive request for variance

The Board agreed by consensus to forward the request for variance at 55 Wilkshire Drive to the Zoning Hearing Board as per the recommendation of Township Manager; Stephanie J. Mason.

#### **BILL'S LIST**

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the September 6, 2011 Bill's List, in the amount of \$107,231.16.

MOTION was ADOPTED 5 to 0

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the September 14, 2011 Bill's List, in the amount of \$117,961.99.

MOTION was ADOPTED 5 to 0



### **TREASURER'S REPORT**

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the September 20, 2011 Treasurer's Report.

MOTION was ADOPTED 5 to 0

### **ANNOUNCEMENTS:**

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Community Yard Sale event will be held on Sunday, October 1<sup>st</sup> (rain date is October 2<sup>nd</sup>) from 8:30am until 1:00pm at The Market at Del Val

Howl-O-Ween event will be held on Saturday, October 22<sup>nd</sup> (rain date is October 23<sup>rd</sup>) from 10:00am until 12:30pm at Central Park

Leaf and Yard Waste Recycling for Doylestown Resident Only at Central Park, dates 10/15/11, 11/12/11 and 12/10/11, The Environmental Advisory Committee will research Black Walnut Trees for recycling

The Budget Work Discussion with the Ways and Means Committee is scheduled for Wednesday, September 28, 2011 at 7:00pm in the Township Municipal Building.

The first 2011 Budget Work Session is scheduled for Thursday, October 6, 2011 at 2:00pm in the Township Municipal Building.

**ADJOURNMENT:** 8:15 p.m.

Respectfully submitted by;

Stephanie J. Mason, Secretary