



# Board of Supervisors

## Regular Meeting

~ Minutes ~

425 Wells Road  
Doylestown, PA 18901  
<http://doylestownpa.org/>

Stephanie Mason  
215-348-9915

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Tuesday, October 4, 2011

7:00 PM

Public Meeting Room

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### I. 6:30 PM Executive Session

The Board met in Execution Session, prior to the meeting, to discuss matters of personnel.

### II. 7:00 PM Regular Meeting

A. Pledge to the flag

B. Proclamation – William Manlove, Jr.

The Board issued a proclamation to Mr. William B. Manlove, Jr. in honor of his induction into the College Football Hall of Fame. Mrs. Lyons read the proclamation that celebrated 32 years of service to include Head Coach at Delaware Valley College, most winning Head Coach at Widener University and Head Coach at LaSalle University. Mr. Manlove was previously inducted into the Camden County Sports Hall of Fame and Pennsylvania Sports Hall of Fame. He lives in Doylestown with his wife of 57 years and still works as an Assistant Coach at Delaware Valley College.

Mr. Manlove thanked the Board for this distinguished award.

C. Visitors/Public Comments

Resident, **Shawn Touhill** of 35 Chapman Road informed the Board in January 2011, residents from the Pine Run Valley area began the Doylestown Creek Coalition in order to clean up creeks in the Doylestown area. With the assistance of the Environmental Advisory Council and Heritage Conversancy, the group developed a cleanup plan. In September they performed three stream cleanups along the Pine Run and repaired buffers with native plantings. Mr. Touhill concluded by stating they look forward in working with Boy Scouts Troup 252 with cleanup this spring.

### III. ANNOUNCEMENTS

A. The next meeting of the Board of Supervisors is scheduled for Tuesday, October 18, 2011.

B. The Doylestown Township Board of Supervisors along with the Ways and Means Committee will hold a 2012 Budget Work Session on Thursday, October 6, 2011 at 2:00 PM.

C. The Doylestown Township Board of Supervisors will attend a Roads Inspection on October 6, 2011 at 4:00 PM.

D. The Doylestown Township Administrative Offices will be closed on Monday, October 10, 2011, in observance of Columbus Day.

E. Doylestown Township Leaf and Yard Waste Recycling – October 15, 2011 from 9 AM – 11 AM. This event will be held at Central Park and is for township residents only.

- F. Howl-O-Ween will be held on October 22, 2011 from 10 am – 12:30 PM at Central Park.
- G. Got Drugs? Turn in your unused or expired medication for safe disposal – Sat., October 29th, 10AM – 2:00PM at the Doylestown Twp. Municipal Building.
- H. October is Fire Safety Month - The township will collect 9 volt batteries for the Red Cross to give to people for smoke detectors.
- I. The Opening Ceremony of Wells Road over the Rt. 202 Parkway is Wednesday, October 5, 2011 @ 1PM.

#### IV. Minutes Approval – September 20, 2011

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the September 20, 2011, Doylestown Township Board of Supervisors Regular Meeting minutes be approved with the following corrections.

Page 1; Announcements

Page 5; Supervisors Comments/First Paragraph - change sentence to read "Mrs. Eisenhardt would like Doylestown Township to set a precedence" not prescience.

MOTION was ADOPTED 5 to 0.

#### V. Correspondence

None

#### VI. REPORTS

##### A. Solicitor

Mr. Garton informed the public of recent appeal from a request to seek a variance by Liberty Towers to construct a cell tower along Edison/Furlong. After several meetings, the Zoning Hearing Board concluded the criteria was not met for a variance and denied the application.

The applicants have filed an appeal with the Courts of Common Pleas of Bucks County, as well as a separate proceeding in Federal Court alleging the action in failing to approve the variance had an effect in denying cell tower capacity within the township. Beginning shortly, the Township will be aggressively defending the Zoning Hearing Board's decision.

##### B. Police Chief

Police Chief White informed the Board of his finding with regards to the prohibitions of Jacob Vehicle Systems (Jake Brakes) in the township. Jake Brakes are a brake retarding system used in slowing down a tractor trailer before coming to a complete stop.

The Pennsylvania Code requires if a township considers passing an ordinance to prevent the use of Jake Brakes, permission is first required from the Pennsylvania Department of Transportation (Penn Dot). Penn Dot will then perform a Traffic and Engineering study. Upon completion of the study, the Township will be responsible to purchase, install and maintain the life of the signage.

An enforcement issue may cause several problems. First; if the violation is because of noise from the brake retarding system, it can be taken from the township's ordinance. Second; if the noise is from a faulty muffler or bypassing a muffler, enforcement would come from the township's

certified Truck Safety Inspector, under the vehicle code. Finally, if an accident should occur that results in injury or death, a lawsuit may be brought upon the township because they prevented the truck from using the brake retarding system.

Police Chief White advised the Board to take these items into consideration prior to making a decision.

Mrs. Lyons believed there was no reason to go any further. Mr. Scarborough agreed

Ms. Philo respectfully disagreed indicating that Morrisville, Bristol, Yardley Borough, Newtown Township and Borough, and Quakertown Borough have a Jake Brake ordinance in place. The Board should be proactive in adopting an ordinance. With noise from trucks using township streets and the proposed traffic from the opening of the Route 202 Parkway. She also disagrees that a law suit may threaten the township, especially if other municipalities have the ordinance in effect. Ms. Philo believes the township should not wait until a problem occurs. Chief White indicated upon speaking with Newtown Township a citation was never issued under the Jake brake ordinance for the same reason he previously stated.

Resident; Kathy Brown lives on the corner of Sunset View and New Britain Road and is concerned with the probability of increase noise of these brakes once the parkway officially opens and traffic increases. Ms. Brown then questioned if there is something else that can be done.

Mrs. Eisenhardt added Dublin Borough has signs posted preventing brake retarding systems and agrees with Ms. Philo the township should be proactive to prevent issues similar to the billboard incident from arising.

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors request the Pennsylvania Department of Transportation (Penn Dot) perform a Traffic and Engineering study in order to enact a similar Jake brake ordinance for the area mentioned previously by Ms. Philo.

Resident; Shawn Touhill questioned if the ordinance is only limited to the parkway and Route 611 and how will it pertain to township service vehicles. Chief White answered; the ordinance will affect the entire township area roads. With newer diesel trucks, the retarding system is built into the vehicles and cannot be turned on and off, so the township will not be exempt.

Mr. Touhill then asked if noise from vehicles, such as mufflers will be enforced under the ordinance. Chief White answered; noise from mufflers are enforced under the vehicle code.

MOTION FAILS with a vote of 2 to 3 with Mrs. Lyons, Mr. Colello and Mr. Scarborough voting nay.

C. Township Engineer - No Report

D. Manager

1. Training Request

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve Director of Parks & Recreation; Karen Sweeney's request to attend the Event Management School in partnership with the National Recreation and Park Society and International Festivals & Association from January 22nd until the 26th of 2012, at a cost of \$1,551.65 to include tuition, lodging and most meals.

MOTION was ADOPTED 5 to 0.

2. WebStreaming

Tabled until the next Board of Supervisors Meeting scheduled for Tuesday, October 18, 2011

3. Bird Town

Chairman of the Environmental Advisory Committee; Keith Peters requested Board approval to enroll the township in the Bird Town Program with Doylestown Borough. Bird Town is working in partnership with the Audubon and municipalities in Pennsylvania to promote conservation and community based actions to create a healthy, more sustainable environment for birds and people. The program offers educational opportunities and a website that allows users to make their own yards attractive to birds.

Mrs. Lyons asked if the committee will have a program on Doylestown TV. Mr. Peters indicated currently a program runs during the EAC hour.

The annual cost of the program is \$450.00 per year. Doylestown Borough will share in the cost. The monies will be taken from the Stormwater Management budget.

Mr. Scarborough made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors approve the township enroll in the Bird Town Program with Doylestown Borough.

MOTION was ADOPTED 5 to 0.

E. Supervisors

Mr. Colello reported the Planning Commission recently heard as amended a Final Land development plan presentation by the Central Bucks Family YMCA.

Ms. Philo; No Report

Mr. Scarborough reported he received several calls from residents with water wells polluted from surface water from recent rainfall. This prevents the wells from passing the township regulated inspection because of contamination. Mr. Scarborough requested guidance from the Board to assist the residents. Assistant Township Manager; Sandra Zadell informed the Board, the Bucks County Health Department issued a statement indicating well test kits will be available at a cost of \$15.00. Also, the township offers credit to residents who have their wells checked during a year that is not required under the Septage Management Program, but residents should contact the Health Department for more information. Additional information can be found at [www.doylestownpa.org](http://www.doylestownpa.org).

Mrs. Eisenhardt made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors approve the Resolution in Support of the Renewing the Growing Greener Program.

MOTION was ADOPTED 5 to 0.

The Board agreed by consensus to forward a copy of the resolution to the Bucks County Association of Township Officials (BCATO).

Ms. Eisenhardt indicated Doylestown Township will be the first municipality in Bucks County to approve the resolution. Mr. Garton suggested a copy be forward to the Conservation District.

Mr. Scarborough offered to bring the resolution to his meeting with BCATO, scheduled for October 5th?

Mrs. Lyons; No Report

## VII. NEW BUSINESS

### A. Rt. 202 Parkway – Nonexclusive Highway Event Data and Video Sharing License

Ms. Mason reported the Nonexclusive Highway Event Data and Video Sharing License agreement will allow the township to access the close circuit television information from Penn Dot.

Resident; Lee Schwarz of 189 Sunset View Drive questioned if electronic signs will be installed along the parkway and did not see the devices as part of the parkway plans. Ms. Mason answered; yes, in some sections small video devices will be installed closer to Montgomery Township not Doylestown.

Mrs. Eisenhardt made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors approve the Non Exclusive Highway Event Data and Video Sharing License Agreement between Doylestown Township and the Pennsylvania Department of Transportation.

MOTION was ADOPTED 5 to 0.

Ms. Philo requested Ms. Mason inquiry if larger signs will not posted within Doylestown Township.

### B. Central Bucks Family YMCA – Amended Sketch Plans (Trees)

Senior Project Engineer for Gilmore & Associates; Eric S. Clase requested Board approval for the Central Bucks Family YMCA amended sketch plan. As part of the land development approval in 2008, the existing fence on the Teversal Condominium Property was required to be extended between the YMCA's property to the end of the proposed parking area. Through negotiations, YMCA and Teversall agreed rather than extending the fence 100 feet instead, six proposed trees would be installed in the south west portion between the two properties.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Central Bucks Family YMCA amended sketch plan to install six trees along the south west portion of the Teversal Condominium Property instead of extending the existing fence 100 feet.

MOTION was ADOPTED 5 to 0.

Chairman of the Expansion Committee; Andy Happ thanked the township for their help, guidance and cooperation during a very exciting enhancement to one of the premier nonprofit organizations. Mr. Happ then encouraged everyone to visit the YMCA. Mrs. Lyons congratulated Mr. Happ on a wonderful expansion, improvements and service to the area.

### C. Zoning Hearing Board -Andrew & Bernadette Panitz, 645 Almshouse Rd. – Request a Variance

The Board agreed by consensus to forward Andrew and Bernadette Panitz of 645 Almshouse

Road request for variance to permit the use and occupation of a portion of the home for dog grooming and boarding to the Zoning Hearing Board as per the recommendation of the Township Manager.

Mr. Garton recommends communication with the Zoning Hearing Board to insure the property does not become a kennel for overnight boarding. Mrs. Lyons requested the Township Manager send a memo to the Zoning Hearing Board advising Mr. & Mrs. Panitz the property should not be utilized as kennel for overnight boarding.

D. Bills List – 10/4/11

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the October 4, 2011 Bills List in the amount of \$55,583.36.

MOTION was ADOPTED 5 to 0.

**VIII. ANNOUNCEMENTS**

**IX. ADJOURNMENT – 8:15 PM**

Respectfully submitted by,

Stephanie J. Mason  
Secretary