



Board of Supervisors

Regular Meeting

~ Minutes ~

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

Stephanie Mason
215-348-9915

Tuesday, April 17, 2012

7:00 PM

Public Meeting Room

I. 6:35 PM INTERVIEWS - JUNIOR COMMITTEE MEMBER

Mr. Touhill made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors appoint Mr. Nick Danilo as a member of the Parks and Recreation Board and Mr. Philip Tschepik as a member of the Performing Arts Council.

MOTION was ADOPTED 5 to 0.

II. 7:00 PM REGULAR MEETING

In attendance: Chairman Barbara N. Lyons, Vice Chairman E. Thomas Scarborough, Member Richard F. Colello, Member Shawn Touhill, Member Ryan Manion, Solicitor Jeffrey Garton, Acting Chief of Police Dean Logan, Township Engineer Mario Canales, Director of Operations Richard John and Township Manager Stephanie J. Mason.

A. Pledge to the flag

B. Presentation - Historic Trees – K. Peters

Due to Mr. Peters absence, the Historic Tree presentation was removed from the agenda.

C. Visitors/Public Comments

Resident; David A. Bauer of 1514 Lower State Road requested a brief summary of the status with the Police Arbitration and who devised the panel.

Mrs. Lyons answered; if the Board of Supervisors and the Police Department Bargaining Unit (PBA) cannot come to an agreement, arbitration must begin by mandate. Arbitrators for each side choose a neutral arbitrator, where all three review the case. The neutral arbitrator must then make a decision for both parties, which is the mandated process as per the Commonwealth of Pennsylvania. Mr. Garton added negotiations between the Board and police went on for over a year where an agreement for wages and contributions to the township's health insurance could not be reached.

Resident; Kathy McQuarrie of Doylestown requested a brief summary of the township's purchase of a portion of Mr. Touhill's property for preservation. She is concerned how the process appears and the reflection it may have on the community, when a township purchases a property owned by a member of the Board of Supervisors.

Mr. Touhill answered several of Ms. McQuarrie's questions by indicating the property was originally purchased in 2006 for \$1.1 million dollars. Although he is unsure of the timeline, Mr. Touhill applied and received full land development approval, where development was not constructed. Mr. Touhill decided to instead utilize the property for farming and approached the Open Space Committee for preservation. Ms. Mason added, Open Space Member; Mr. Harold Johns lives near the property and encouraged the Touhill's in 2010 to apply for preservation and conservation easements through the county's open space program. As per the Open Space Committee's recommendation, the property met certain criteria and three appraisals were performed to ascertain the value of a conservation easement at over \$700,000. Once the Open Space committee agreed on a value for non-development of the

property, they made a recommendation to the Board of Supervisors. The last two steps is to have the Township Engineer create a meets and bounds plan and have an agreement drafted for consideration with details of what is to be preserved along with content of the easement. Ms. Mason indicated the authorization to participate took place in the winter of 2011. Mr. Touhill continued as per Bucks County's policy, the county will supply 75% of funds towards the average of two appraisals provided and other municipalities supply 25%. Since Doylestown does not contribute 25% , the Touhill's will donate the 25% of the property in lieu of funds. Finally, the township will then make a presentation to the County's Open Space Board for authorization of county funds.

Mr. Garton added currently the property is being re-evaluated for clarification of what is to be the extent of the easement.

Ms. McQuarrie commented with previous municipalities purchasing a portion of a Board member's properties for their own benefit and large tax deductions, she encouraged the Board to consider how this purchase may look and what effects it may have on the taxpayers. Mr. Touhill responded; the property was approved for final land development and his participation as an applicant was completed prior to his role as member of the Board of Supervisors. Since becoming a Board of Supervisor, Mr. Touhill noted he has abstained in all votes relating to this issue. Mr. Colello added a Board of Supervisor doesn't lose their rights as a resident once appointed into office and Mr. Touhill has gone through his due process. He concluded by stating if the Board does not approve this property for the Open Space program, neither will Bucks County.

III. ANNOUNCEMENTS

- A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, May 1, 2012.
- B. PECO Green Region Invasive Species Education Trail Dedication – Friday, April 27, 2012 at 10:00 AM at Central Park Environmental Education Area
- C. Healthy Kids, Get Up, Get Out and Play’ – Saturday, April 28, 2012, 11:00 AM – 3:00 PM at Central Park and CB Family YMCA
- D. Local Government Week – April 16th – 20th .
- E. Touch – A- Truck – Saturday, May 5, 2012, 10:00 AM – 1:00 PM at Central Park. Admission is Free
- F. Shred Event – for Doylestown Twp. Residents – Saturday, May 12, 2012, 9:00 AM – 12:00 Noon at the Township Administration Building.
- G. Annual Doylestown Township Golf Outing – Monday, June 4, 2012 at Doylestown County Club. Registration deadline is May 18th.
- H. The Doylestown Township Municipal Building will be closed on April 24, 2012 in observance of Primary Election Day

IV. MINUTES APPROVAL: April 3, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the April 3, 2012 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 5 to 0.

V. CORRESPONDENCES

None

VI. REPORTS

A. Solicitor

No Report

B. Police Chief

With recent vandalism occurring along the township's parks and newly constructed Route 202 Parkway, Acting Chief Logan requested the Board consider implementing a bike patrol to curb these acts. Chief Logan is in the process of securing funding for bicycles and has adequate funds in the budget to equip officers for patrol. Officer Notarfrancesco is willing to participate. He also has a strong understanding of the Parks & Recreation Department's concerns regarding the safety of the parks. He plans to aggressively enforce any violations. The Board agreed

Acting Chief Logan recommended Detective Matthew O'Connor be appointed as Acting Lieutenant until the Police Regionalization Study is completed. Detective O'Connor has been employed with the Doylestown Township Police Department since 1985 and served in a supervisory capacity. Chief Logan has a good strong working relationship with Det. O'Connor and believes he will do well as Acting Lieutenant.

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the appointment of Detective Matthew O'Connor as Acting Lieutenant pending the Police Regionalization.

MOTION was ADOPTED 5 to 0.

C. Township Engineer

No Report

D. Manager -Request to attend PSATS and APMM

Mr. Scarborough made a MOTION; seconded by Mrs. Lyons the Doylestown Township Board of Supervisors approve Township Manager; Stephanie J. Mason attend the May 6th through 9th, Annual Pennsylvania State Association of Township Supervisors (PSATS) and the May 22nd through 24th, Association of Pennsylvania Municipal Management (APMM) Conferences to include an overnight stay.

MOTION was ADOPTED 5 to 0.

E. Supervisors

Mr. Touhill reported the Sub Committee of the Ways and Means Committee recently met to evaluate recommendations to refine a budget list for Board approval.

Ms. Manion commented she is pleased to hear graffiti will be cleared from the Route 202 Parkway and requested cleanup be completed before the official opening. Chief Logan reported of a recent cleanup of graffiti along the parkway, but unfortunately the graffiti returned. Increased patrol has been added to try and locate the individuals. He is hoping the bike patrol will have more success.

Mr. Colello encouraged the Chief to consider installing security cameras to assist in keeping the parks

safe, especially along Central Park.

To increase viewership, Mr. Colello urged the public to watch the May 1st Board of Supervisors meeting by either cable or by web-streaming.

Mrs. Lyons thanked Ms. Mason, Ms. Sandra Zadell, Head of Social Studies Curriculum; Scott Berger and the 2nd and 3rd graders at Mill Creek Elementary School for their attendance during a presentation for local government week. In Doylestown Township a program is being developed where a township representative visits local schools to teach about local civics on a first hand basis. She enjoyed the experience and appreciated the staff developing the curriculum.

VII. NEW BUSINESS

A. Keeley Ave. Traffic Calming – Draft Agreement

Mr. Garton reported the township received a request from New Britain Borough to install traffic calming measures along portions of Keeley Avenue for speed restriction. With possible liability involved, Mr. Garton prepared a similar agreement related to Doylestown Borough regarding Court Street for Board consideration. The agreement will authorize New Britain Borough installing certain traffic calming devices at their sole costs and expense and indemnifies the township with any liability associated with traffic calming measures. The only modification noted is the township will look to the borough's insurance coverage first to indemnify the township of any claims. Also, the borough is required to maintain all devices involved with the assurance no consequences will surface with regards to snow removal.

Mr. Scarborough made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors approve the Traffic Calming agreement between New Britain Borough and Doylestown Township as set forth by Township Solicitor; Jeffrey P. Garton.

Chief Logan requested copies of New Britain Borough speed calculations results be forwarded to the Doylestown Police Department for statistical data. Mr. Garton suggested contacting New Britain Borough to obtain the reports.

MOTION was ADOPTED 5 to 0.

B. 2012/13 Fuels Bid

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors award the 2012/2013 Fuel Bid for diesel and gasoline at a fluctuating per gallon bid costs plus a fixed delivery cost of \$0.1470 per gallon to Riggins, Inc of 3938 S. Main Road, Vineland NJ. Additionally, the 2012/2013 for propane bid be awarded to Farm and Home Energy of 3115 State Road, Telford PA at a fluctuating per gallon bid for supply of propane plus a fixed delivery cost of \$0.4500 per gallon between May 1, 2012 and April 30, 2013.

MOTION was ADOPTED 5 to 0

C. Review of Township's Naming Policy

Mrs. Lyons reported the Fund Development Sub-Committee of the Ways and Means committee has supplied several options for alternative funding for special events for the township. Mr. Touhill added as per Director of Parks & Recreation; Karen Sweeny, sponsorship for naming of fields are limited only to deceased individuals who have passed on for one year. With the change in the economic status, the Parks & Recreation department would like the Board consider a change in the naming policy.

Mrs. Lyons requested Karen Sweeney amend the policy for the Board's review.

Mr. Colello commented on page three under the evaluation criteria indicates the naming of a parks or recreation facility would be under the Board's discretion if a criteria is not met. Ms. Manion clarified she believes the amendment would reflect the naming of a facility if a person is not deceased and agrees the policy should be amended to show more significance.

Mr. Garton explained the reason the naming policy was designed for persons who have passed for a year was mainly because of the emotional aspect when the initial request were made shortly after a passing. Waiting a year provided more of a reflection.

The Board agreed by consensus to have the naming policy amended for the Board's review.

D. Review New Hire Policy for Full Time Non-Uniformed Employees

Ms. Mason presented the Board with a resolution which will amend some of the benefits received by new non-uniform employees hired in 2012. Some of the amended benefits will require a new hire after January 1, 2012 contribute 5% towards their health care costs and 5% towards their annual salary to the township's pension plan for non-uniform employees. Also, a new full-time employee will be required to be a non-smoker or non-tobacco user.

Mr. Garton noted the amended resolution does not apply towards the hiring of police, because the process is part of a collective bargaining agreement and different hiring procedures.

Ms. Manion questioned if not hiring a smoker would be a liability for the township with regards to discrimination. Mr. Garton answered there is not a discrimination law against smokers. Ms. Mason added a non-smoking policy will also be provided to new hires.

Mr. Colello commented if the township will continue to pay for training towards township related issues as stated on page for of the resolution. Ms. Mason indicated tuition reimbursement is strictly for college degrees, but will amend the resolution to clarify.

The Board agreed by consensus to the pass the resolution for final drafting.

E. Land Developments/Subdivisions

1. Thompson Toyota – Preliminary/Final Land Development – Review

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve Thompson Organization's request for an extension to present their Preliminary Final / Land Development Plans until May 25, 2012.

MOTION was ADOPTED 5 to 0.

2. Nejad Tract – Final Minor Subdivision

Mr. Garton reported applicant; Ali Nejad of Nejad Tract proposes to sub-divide a 10 acre parcel 9-14-17-2 into two separate lots located on 1845 S Easton Road, Doylestown. Lot 1 at 5.799 acres is for a proposed E1 retail shop and existing pole barn. Lot 2 at 4.201 acres is proposed to contain an existing B-1 single family detached dwelling unit with a garage. Both lots are served from on-lot water. The February 10, 2012 land development plans were prepared by Gilmore & Associates and on March 26, 2012 the Doylestown Township Planning Commission recommended the plans for Board approval pending certain conditions.

Upon approval of applicant, Nejad Tract Sub-division Land Development Plan from the Doylestown Township Board of Supervisors, Gilmore & Associates representative; Eric L. Clase agreed to comply

with the following conditions as set forth by Township Solicitor; Jeffrey P. Garton:

1. Compliance with Boucher & James, Inc. report dated March 12, 2012;
2. Compliance with the Pickering, Courts & Summerson, Inc. review letter dated March 5, 2012;
3. Compliance with the Bucks County Planning Commission report dated March 15, 2012;
4. Receipt of all permits and approvals from any agencies having jurisdiction over such matters including, but not limited to PennDot, the Bucks County Conservation District, et al.;
5. Applicant to pay any and all costs incurred by the Township in connection with this Application including professional fees; and
6. Applicant to install a bike path, but the installation of same shall be delayed until such time as a further Application is made either for a building permit or a land development for either lot.
7. The Board of Supervisors granted the following waivers from the provisions of the Subdivision/Land Development Ordinance:
 - a. Section 153-20.C.(7), so as to not be required to have two foot contour intervals with regard to the location of watercourses, as said information will be provided when a proposed use is determined;
 - b. Section 153-20.C.(10) so as to not be required to show the location of watercourses and onsite septic systems as the information will be provided when a proposed use is determined;
 - c. Section 153-24.C(11) so as to not be required to show species and size of large tree stands or mature trees with the diameters of 12" or greater which will be provided when a proposed use is determined; and
 - d. Section 153.34.B(3), so as to not be required to install street trees, as that mater will be deferred until a proposed use is determined.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Nejad Tract Sub-Division Land Development Plan with provisions and conditions as set forth by Township Solicitor; Jeffrey P. Garton.

Mrs. Lyons questioned if there are no use changes. Mr. Garton answered the use changes are staying the same at the moment. Mr. Clase agreed and stated if a use change is noted the applicants will return for Board approval.

MOTION was ADOPTED 5 to 0.

F. Treasurer's Report – April 17, 2012

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the April 17, 2012 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

G. Bills List – April 17, 2012

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the April 17, 2012 Bill's List in the amount of \$116,180.50.

MOTION was ADOPTED 5 to 0.

VIII. ANNOUNCEMENTS

IX. ADJOURNMENT

Mr. Scarborough made a MOTION; seconded by Mr. Touhill to adjourn the April 17, 2012 Doylestown Township Board of Supervisors Regular Meeting at 7:47pm.

Respectfully submitted by

Stephanie J. Mason
Secretary