



# 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, August 21, 2012

7:00 PM

Public Meeting Room

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### I. 4:00 PM PENSION MEETING

### II. 7:00 PM REGULAR MEETING

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

A. Pledge to the flag

B. Presentations

1. Kurt Krause, TAB Chairman, Webstreaming Approval 2013

Mrs. Lyons introduced Chairman of the Telecommunications Advisory Board; Kurt Krause. Ms. Lyons noted the Board met earlier in the day at the Pension meeting.

Mr. Krause approached the Board to request approval to have web streaming currently utilized for broadcasting of Board and Commission meetings considered as part of the 2013 Township budget. Mr. Krause reported the web streaming continues with positive results and benefits to the township. The cost will be \$3,600 for the year and billed monthly. There is an option to cancel the service at any time.

The Board agreed by consensus to consider placing the web streaming as part of the Doylestown Township 2013 budget and take Mr. Touhill's suggestions and recommendations on finding funds to pay for the service into consideration.

Mr. Scarborough commented on what a great asset the web streaming has become. Mr. Colello congratulated the TAB Board on their mention in the most recent Pennsylvania State Association of Township Supervisors (PSATS) magazine.

2. 15th Anniversary Kids Castle Update – Dawn Byers

Ms. Dawn Byers approached the Board to request approval to move forward with a capital campaign to replace certain equipment needed for Kid Castle located in Central Park.

This will be the third restoration project performed since the construction of Kid Castle in 1997. The castle is constructed with special pressure treated wood with a life span of 15 years. Although the township has done an excellent job in maintaining the structure, upon a recent insurance inspection 38 structure issues were sited. 23 were immediate and taken care of by the maintenance crew. Ms. Byers stressed the structure is sound for use and in compliance with safety issues. However, certain materials will need to be replaced within one to two years.

Ms. Byers requested permission to reach out to the community and collect donations to complete the restoration. With a more recent social media campaign via Facebook, over 1000 members showed their support in restoring the castle. To clarify, almost all pieces of equipment located in the castle will need to be replaced within the next five years. In order to keep the original iconic structure in place the committee will have one of the original architects perform an evaluation on the engineering aspect.

Mr. Touhill commented the project looks to be overwhelming, but with initiative from the community and cooperation of the township, completion is hopeful. Mr. Scarborough is in support of the restoration project and believes the castle is a great jewel for the township.

The Board agreed by consensus to approve the Kid Castle Restoration Committee move forward in creating a capital campaign to raise funds for the castle's restoration.

Ms. Byers stated for the record, she will only have an advisory role during the project in order to pass the baton to a younger generation of community supporters. Ms. Byers continued by stating, It's important to provide community ownership by stepping down to create a framework on how the committee is going to be structure and the manner of how the restoration will be designed to avoid a full blown building process. Ms. Byers suggests hand selecting experienced volunteers to work along side the township maintenance staff for control and lessened liability.

Ms. Byers concluded by announcing the first Kids Castle Committee meeting will be held on August 22nd at 6:30pm at the Pavilion located near the castle.

#### C. Visitors/Public Comments

Resident: Morris Ashinsky of 159 Hart Avenue requested the status of his previous concerns regarding damage made along Hart Avenue when Peco Energy replaced a transformer. The slope of the road was changed so when it rains a 30 feet long by 15 feet wide lake is formed behind his home. To date, Peco has not repaired the road and Mr. Ashinsky is concernrd the water will form a mosquito trap.

Ms. Mason responded by stating Peco was informed of the problem and to her knowledge the issue was addressed. Doylestown Borough has addressed the drainage issue and the township has been monitoring the situation with Public Works Department. Ms. Mason offered to resend the public works department out to the site. Mr. Ashinsky then informed the Board of an email received from Peco indicating their portion of the project was completed.

Mrs. Lyons asked Mr. John to contact Peco and have the results provided to Mr. Ashinsky. Mr. Ashinsky then questioned what is Peco's responsibility to repair a road destroyed by them. Mr. Garton answered; Peco does not have the legal right to concentrate storm water on a matter different than it was before, so that it goes onto private property and/or causing private property to be effected. Common Law states Peco is not allowed to cause the concentration of water that did not occur before. Mr. Garton then offered have a conversation with Mr. John to determine how to get Peco's attention.

### III. ANNOUNCEMENTS

- A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, September 18, 2012 at 7:00 pm.

- B. Central Bucks Senior Task Force – Friday, September 7, 2012, 9:00 am, Doylestown Twp. Admin. Bldg. –Guest Speaker – Sen. Charles McIlhinney – Regarding: Voter ID
- C. Party on the Parkway – Sunday, September 9, 2012 – 9:00am to Noon, New Britain Road Entrance of Central Park.
- D. Special Meeting of Doylestown Township Board of Supervisors – Wednesday, October 3, 2012, at 7:00 pm, Doylestown Twp. Admin. Bldg. - Regarding Pebble Ridge / Woodridge Sewer. If any township residents are planning to attend this meeting, please contact the Administrative Offices so they may determine if a larger revenue will be needed.
- E. The next scheduled collection for yard waste recycling is Saturday, September 15, 2012. Doylestown Township residents can bring yard waste to our Central Park entrance located off of New Britain Road from 9 am – 11:00 am. \*Please check out our website for the updated Summer and Fall dates for the Leaf and Yard Waste Recycling program.

#### IV. MINUTES APPROVAL: July 17, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the July 17, 2012 Doylestown Township Board of Supervisor Regular Meeting minutes be approved to reflect Ms. Manion attendance at the meeting.

MOTION was ADOPTED 4 to 0.

#### V. CORRESPONDENCES

##### A. Pumpkinfest 2012

Mrs. Lyons made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors grant The Pumpkinfest Committee a waiver fee of \$150.00 and acknowledge it's within the Township's waiver policy definition as the 2012 Pumpkinfest is considered a fund raiser for the Council of Southeast Pennsylvania Drug and Alcohol.

MOTION was ADOPTED 4 to 0.

#### New Britain Township

Ms. Mason reported the township is in receipt of Chairman of the New Britain Township Board of Supervisors; William B. Jones' letter dated August 21, 2012 indicating at a recent meeting, the Board unanimously voted **not** to join the Central Bucks Regional Police Department.

Mrs. Lyons reported the remaining participating municipalities will meet within the next month or so.

#### VI. REPORTS

##### A. Solicitor

No Report

##### B. Police Chief

No Report

##### C. Township Engineer – Stormwater Renewal Permit

Mr. Canales reported the MS4 UA renewal application is due for submission to the Department of

Environmental Protection (DEP) on September 14, 2012 regarding the NPDES Phase II MS4 TMDL Storm water Discharge Plan. The application will need to be filed with other documents including a TMDL strategy along with a \$500.00 filing fee. The check must be dated within ten days of filing.

Mr. Canales indicated the Notice of Intent for coverage under NPDES General Permit for Stormwater Discharges will need to be signed by a ranking municipal official.

The Board agreed by consensus to move forward with application submission of the MS4 UA renewal and have documents signed by a ranking municipal official.

D. Manager

1. DART Bus Service - Cultural Loop

Ms. Mason reported at the August 14, 2012 Dart Bus meeting with Doylestown Borough, it was agreed the Cultural Loop bus will move forward with Saturday and Sunday service beginning in mid-September and run through October.

Senator McIlhinney was also in attendance and confirmed \$120,000 has been obtained from the Pennsylvania Department of Transportation (PennDot) and \$80,000 from SEPTA. This will make a second bus available beginning October 1, 2012.

2. Bike and Hike Committee - Naming Trail in Memory of Corinne Cody

Mr. Touhill made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve a trail rededication located in front of Kutz Elementary School in memory of founding member of the Doylestown Community Joint Bike/Hike Committee; Corinne Cody who passed away last spring.

MOTION was ADOPTED 4 to 0.

E. Supervisors

Mr. Touhill commented on his hopes the Kid Castle committee consider placing additional funds aside for ongoing maintenance when beginning their fundraising campaign.

Ms. Byers responded; additional funds will be placed in a fund for maintenance of the castle.

Mr. Scarborough reported with sadness on his attendance at Lt. Frank "Bucky" Dunlap's funeral. He was a great person who will be dearly missed.

Mrs. Lyons congratulated the Park and Recreation Board on a job well done with the Fall 2012 Program Guide.

## VII. UNFINISHED BUSINESS

A. Windey Way / Hidden Lane - Fence

Ms. Mason referenced her August 6, 2012 Memo which states after the July 17, 2012 Board of Supervisors meeting, Mr. Canales visited the site where a proposed fence was to be installed to address questions regarding the right of way where two roadways existed. As a result, it was found the majority of the fence sits on private property. Also, residents along Windey Way and Hidden Lane were unable to come to an agreement with regards to installing a fence without an opening for pedestrians.

It is now proposed the issue be returned for Board's assistance. Ms. Mason and Mr. John's recommendation is to install a break away sign that indicates either "end of roadway" or "No through traffic" warning. Mr. Garton added if there is clearly debris on the right of way, it will be the township's responsibility to clear. However, the township does not have the responsibility to construct a fence along the right of way.

Resident; Lee Schwarz of 189 Sunset View Drive questioned the coverage percentage of the right of way. Mr. Canales answered; 55% on private property and 45% on township property.

Resident; Jennifer Estes of 2 Windey Way Lane indicated upon reviewing the Township's Engineers office survey, it was found they own most of the existing fence. She explained upon the community unable to agree with the pass through for foot passage once the fence was installed, Mr. McCann pulled his offer to construct the fence. As a result, the community is unsure how to move forward. They are in agreement in repairing the portion of the fence located on the right of way on their property, but is unsure what the township proposes to do with their section of the fence. Mrs. Lyons answered; the township will only clear the debris located on the township's right of way and install an "end of road" sign. Additionally, the township will only remove the portion of the existing fence that is located on township right of way.

Ms. Mason added when the initial resident's request to have the township replace the entire fence was presented, upon inspection that request was denied once it was found the majority of the fence sits on private property. Instead the township first proposed to install a berm in order to prevent vehicle traffic, but the Board was more inclined to only clear their portion of the debris and install end of road signs for safety purposes. Ms. Estes suggested the two proposed berms be matched on either side of the fence. Mr. Garton responded; it will be the community's responsibility to maintain the berms. Ms. Mason added the berms will be much more off setting in the field than on paper.

Ms. Estes questioned if the two neighboring residents are allowed to install a fence. Mr. Garton indicated they are allowed to do so as long as the fence does not disturb the township's right of way. She then questioned if the township will clear old iron furniture located on Mrs. Merritt property near the township's right of way. Mr. Canales responded; the debris is very close to Mrs. Merritt's property and only debris will be removed from township's right of way.

Resident; Allan F. Mohr of 4 Windey Way Lane questioned if the berm would be more appealing. Mr. Garton answered; the berm may be a liability issue if someone hits or is injured. The township will only clear the debris and place signage as per the recommendation of the Chief of Police.

## VIII. NEW BUSINESS

### A. Kutz Elementary School – Flashing Light

Ms. Mason presented the Board with bids for replacement/repair of the Kutz Elementary School Zone Flashing Warning Device. She recommends the bid be awarded to Armour and Sons Electric, Inc at a cost of \$29,449.30.

Scott Kennedy of Central Bucks School District agreed to share in the cost of the base bid. He would like the Board consider adding a solar powered school zone speed limit sign and a new arm at the existing South Easton school zone speed limited location to the bid. However, Mr. Kennedy cannot receive Board approval until their next meeting of September 16, 2012. Mr. Garton recommended to table the bid approval until the next Board meeting.

The Board agreed by consensus to table approval of the Kutz Elementary School Zone Flashing

Warning Device until September 18, 2012 Board of Supervisors Regular Meeting.

B. Land Developments

1. **Ventresca Minor Subdivision – Final Land Development Plan**

Mr. Garton reported applicant; John Ventresca is seeking final land development approval of a two lot minor subdivision fully attached parcel 9-2-1 located at 225 Keeley Avenue. The first lot will be at approximately 3.21 net acres, the second at 4.5 net acres. Properties will be served by public sewer and on lot water. The Doylestown Township Planning Commission has recommended approval subject to conditions.

Applicant; John Ventresca agreed to the conditions as set forth by Township Solicitor; Jeffrey P. Garton prior to Final Minor Land Subdivision approval by the Doylestown Township Board of Supervisors.

1. Compliance with the Pickering, Carts & Summerson, Inc. letter dated August 10, 2012 with the understanding that the applicant has request waiver be granted from the following provisions of the Subdivision Land Development Ordinance:
  - a. Section 153-20.C.(10) which would require that all watercourses, wells, on-site septic systems, stormwater management facilities within 400 feet be shown on the Plans;
  - b. Section 153-24.B.(2)(a) which would require that the adjoining street be widened in accordance with the Ordinance; and
  - c. Section 153-26.A(3) which would require curbing along the adjacent street;

The Board agreed by consensus to collect a fee in lieu of the minor land subdivision. Showalter & Associates Project Manager; Michael Beuke explained with a minor subdivision it becomes difficult to receive funds back if fees are required for roadway improvement. Mr. Garton requested Mr. Canales to provide an estimated fee if possible. Mr. Canales could not provide an estimated, but indicated it could be expensive for a one building lot. He then suggested the Board may ask for a contribution in lieu of a fee.

Mr. Garton asked if the applicants will agreed to defer the fee until the land development agreement is considered. Mr. Beuke agreed.

2. The Board agreed by consensus to accept additional right of way for dedication along Keeley Avenue on behalf of the Township
3. Applicant shall pay a fee in lieu of recreation for the one (I) new lot being created by the subdivision in accordance with the Township's rate schedule;
4. Compliance with Boucher & James, Inc. report dated August 14, 2012;
5. Compliance with the Michael Baker, Jr., Inc. Letter dated July 2, 2012;
6. The Board agreed by consensus not to determine no street lighting would be required for the subdivision;

7. Receipt of all permits and improvements from any agencies having jurisdiction over such matters and including, but not limited to, the Bucks County Conservation District, DEP, Board of Health, etc.;
8. Satisfactory evidence shall be provided that the lots will be served by public sewer and that the proposed on-site wells meet all regulatory requirements of the Township, the Board of Health and the DEP;
9. An easement to be granted to the Civic Association memorializing the usage of an existing path on the northern property line, which said easement shall be in the form satisfactory to the Township Solicitor;
10. Applicant to install the bike path as shown on the plans in accordance with Township specifications;
11. Applicant to fund and execute Development and Financial Security Agreements in a form satisfactory to the Township Solicitor and to the Township Manager; and
12. Applicant to pay any and all costs incurred by the Township in connection with the Application including the cost of professional services.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the John Ventresca's Minor Subdivision application for Final Land Development with conditions set forth by Township Solicitor; Jeffrey P. Garton.

MOTION was ADOPTED 4 to 0.

Mr. Colello commented the Ventresca's land development is a wonderful asset to the township and will create a beautiful walking area for the residents.

**2. Eastburn Tract (Sycamore Ridge) – Development Escrow Agreement**

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Eastburn Tract (Sycamore Ridge) Development Escrow Agreement.

MOTION was ADOPTED 4 to 0.

**3. Thompson Toyota – Development Escrow Agreement**

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Thompson Organization (Thompson Toyota) Development Escrow Agreement.

MOTION was ADOPTED 4 to 0.

**C. Zoning Hearing Board Application – Ellinger – Home Based Business**

The Board agreed by consensus to forward Joanne Ellinger of 552 W. Swamp Road, Doylestown request for special exception application to the Zoning Hearing Board.

**D. Eagle Scout Proclamations**

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors award Boy Scout Troop 6 member; Kyle Zachary Hanbicki and Boy Scout Troop 71 member; Ian Greenwald rank of Eagle Scout at the August 19, 2012 Court of Honor ceremony.

MOTION was ADOPTED 4 to 0.

E. Treasurers Report – August 21, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the August 21, 2012 Treasurer's Report.

MOTION was ADOPTED 4 to 0.

F. Bills List – August 7, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the August 7, 2012 Bill's List in the amount of \$455,280.12.

MOTION was ADOPTED 4 to 0.

Bills List – August 21, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the August 21, 2012 Bill's List in the amount of \$150,254.00.

MOTION was ADOPTED 4 to 0.

**IX. ANNOUNCEMENTS**

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, September 18, 2012 at 7:00 pm.

B. Central Bucks Senior Task Force – Friday, September 7, 2012, 9:00am, Doylestown Twp. Admin. Bldg. –Guest Speaker – Sen. Charles McIlhinney –Voter ID

C. Party on the Parkway – Sunday, September 9, 2012 – 9:00am to Noon, New Britain Road Entrance of Central Park.

D. Special Meeting of Doylestown Township Board of Supervisors – Wednesday, October 3, 2012, at 7:00 pm, Doylestown Twp. Admin. Bldg. - Regarding Pebble Ridge / Woodridge Sewer

E. The next scheduled collection for yard waste recycling is Saturday, September 15, 2012. Doylestown Township residents can bring yard waste to our Central Park entrance located off of New Britain Road from 9 am – 11:00 am.

\*Please check out our website, [www.doylestownpa.org](http://www.doylestownpa.org) for the updated Summer and Fall dates for the Leaf and Yard Waste Recycling program.

**X. ADJOURNMENT**

The August 21, 2012 Doylestown Township Board of Supervisors regular meeting was adjourned at 7:46pm.

Respectfully submitted by,

Stephanie J. Mason, Secretary