



# Board of Supervisors

## Regular Meeting

425 Wells Road  
Doylestown, PA 18901  
[www.doylestownpa.org](http://www.doylestownpa.org)  
Twitter: @DoylestownTwp  
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215-348-9915

~ Minutes ~

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**Tuesday, April 18, 2017**

**5:00 PM**

**Public Meeting Room**

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### **I. 5:00 PM REGULAR MEETING**

Members of the Board of Supervisors in attendance included Chairperson; Barbara N. Lyons, Vice Chairman; Richard F. Colello with Supervisors; Ken L. Snyder and Shawn Touhill

Township Staff in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Dave Tomko, Township Solicitor; Jeffrey P. Garton, and Township Engineer; Mario Canales.

Absent: Supervisor: Ryan Manion

Absent: Chief of Police; A. Dean Logan . In Chief Logan's absence, Lt. Matthew O'Connor was present.

- A. Pledge to the flag
- B. Visitors/Public Comment

### **II. ANNOUNCEMENTS**

- A. The next meeting of the Board of Supervisors is scheduled for Tuesday, May 2, 2017 at 4:00PM
- B. Bicentennial Committee will meet on Tuesday, May 2, 2017 at 3:00 PM, public is welcome to attend
- C. Community Yard Sale – April 29, 2017, 8:00 AM – 1:00 PM - Central Park Tennis Court Parking Lot. Shoppers are Free, Vendors Fee \$25.00
- D. Touch-A-Truck –Saturday, May 6, 2017– Central Park 10AM – 1:00 PM – FREE
- E. Home Run Derby – Thursday, May 18, 2017 – Turk Baseball Fields – Check in 4:30PM
- F. Thompson Performing Arts Series kicks off on May 19, 2017, Movie “Moanan” with a bonus of Polynesian dance demonstration. Followed on June 2, 2017 another movie “Secret Life of Pets”
- G. Doylestown Township Annual Golf Outing – June 5, 2017 at Doylestown Country Club. Registration Deadline: May 15th. Please contact the Administration offices or [www.doylestownrec.com](http://www.doylestownrec.com) to register. The event is a fundraiser for the final Phase of the Build the Kid Castle Kingdom
- H. The Environmental Advisory Council is holding a Magnet Fundraiser. Magnets are being sold in the Administration office for \$5.00.

- I. Doylestown Township will be holding an E-cycling event through PAR Recycle Works on June 3rd from 10am-1pm for Doylestown Residents ONLY.

### III. MINUTES APPROVAL: Regular Meeting – March 21, 2017

Mr. Colello made a MOTION; seconded by Mr. Snyder the March 21, 2017 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 4 to 0.

### IV. CORRESPONDENCES

- A. PA Small Water and Sewer Program Grant

Mr. Colello made a MOTION; seconded Mr. Snyder the Township Board of Supervisors accept the grant agreement between PA Small Water and Sewer Program and the Township in the amount of \$252,546.00 and authorize two (2) officials of the Township, including the Board of Supervisor Chairperson; Barbara Lyons sign the grant agreement.

MOTION was ADOPTED 4 to 0.

### V. REPORTS

- A. Solicitor  
No Report
- B. Township Engineer  
No Report
- C. Police Chief

Lt. O'Connor reported on a recent article published in The Intelligencer on Thursday, April 13th regarding Bill 251, which would allow local police departments to use radar during speed enforcement details. Pennsylvania is the only state in the country that prohibits the use of radar. Currently, the police utilize speedometers. In order to receive an accurate reading, a vehicle needs to be paced at 2 to 3/10 of a mile. Another instrument used is Electronic Non-Radar Device, which are two brackets placed on the shoulders of the roadway that electronically records the pace of a vehicle. The device is a two-man tool, where one officer holds the instruments and the second stops the speeding vehicle. The instruments are expensive and prone to thief. A third instrument used is called, AccuTrack. The tool is used similar to a stopwatch with a computer. Once a vehicle crosses a designated line, the tool is activated and stops when a second designated line is crossed to enforce a traffic detail.

Lt. O'Connor is aware of residents' complaints regarding speeding and traffic enforcement. If radar is allowed, any detail can be set up at any location along the Township to provide a safe community.

Mr. Snyder made a MOTION; the Doylestown Township Board of Supervisors to create a resolution supporting the use of radar for the Police Department.

Mr. Colello commented; he is in support of the concept, but not in favor of the Board submitting opinions for other issues relating to the State.

Mrs. Lyons suggested instead, the Township submit a letter of support to State Representative; Marguerite Quinn office. The Board agreed.

## D. Dir. of Operations

Mr. Tomko reported; Pine Run Construction submitted a letter dated March 30, 2017 requesting to withdraw their proposal to supply engineering and construction services for the Township's fuel tanks regarding the proposed campus expansion. It was recently found Pine Run Construction was not CoStars approved. Mr. Garton clarified; a project not on CoStars should not be bid, because a full bid will be needed. No action from the Board is required.

Jim Linsky of Phillips & Donovan Architects, LLC reported; bids were received for the Municipal Complex Phase I project. He then referenced their April 12, 2017 letter that provides an outline of bid results with contractor references and complete bid tabulation from each contractor. The lowest bid received for the General Construction Contract was from L.J. Poalella Construction, Inc in the amount of \$1,079,617.00. The lowest bid received for the Mechanical Construction Contract was from Worth & Company, Inc in the amount of \$308,150.00. Lowest bid received for the Electrical Construction Contract was from Trotter Industries, LLC in the amount of \$310,705.00. Plumbing Construction Contract received the lowest bid from Stan-Roch Plumbing in the amount of \$123,900.00 and the Fire Protection Construction Contract lowest bid was received from ABJ Sprinkler Company, Inc in the amount of \$62,500.00. Bids were followed by phone interviews and a reference check. All materials regarding the bid was received by all contractors as per the Penn Bid program.

Upon providing an overview of his April 12th letter, Mr. Linsky indicated the sum of the bids was in the amount of \$1,884,872.00 and in line with the estimates provided. Once Board approval is received, letters of intent will be forwarded to all contractors and once additional information is provided, contracts will be drawn.

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors award the General Construction, Mechanical Constructions, Electrical Construction, Plumbing Constructions and Fire Protection Construction Contracts to the following lowest bid contractors as per the recommendation of Phillip & Donovan Architects, LLC.

|   |   |
|---|---|
| General Construction Contract -         | L.J. Poalella Construction, Inc in the amount of \$1,079,617.00 |
| Mechanical Construction Contract -      | Worth & Company, Inc in the amount of \$308,150.00              |
| Electrical Construction Contract -      | Trotter Industries, LLC in the amount of \$310,705.00           |
| Plumbing Construction Contract -        | Stan-Roch Plumbing in the amount of \$123,900.00                |
| Fire Protection Construction Contract - | ABJ Sprinkler Company, Inc in the amount of \$62,500.00         |

MOTION was ADOPTED 4 to 0.

## E. Township Manager

2017 Bond Obligation Proceeds:

Ms. Mason referenced a memorandum received by Director of Finance; Kenneth Wallace dated April 10, 2017 indicating the 2017 Bond Obligation proceeds were received at the end of February. The funds are currently being held at TD Bank and with the drawn downs provided, the balance is earning .25 interest.

To earn better interest, Mr. Wallace provided Pennsylvania Local Government Investment Trust (PLGIT) ACT Investment portfolio proposals, where earnings will be \$88, 696.00 versus \$75,126.00. PLGIT Act Investments will also assist with the arbitrage filings. For the Board's review, Ms. Mason submitted comments from the Ways & Means Committee and ACT 10 portfolio. The actions are compliant with the existing policy for investments of bond funds and the fund management policy. The investments of Township bond proceeds will also follow the guidelines of the second class

Township codes Act Ten investments. Ms. Mason concluded by requesting Board authorization to proceed.

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors authorizes the 2017 Bond Obligations proceeds be transferred from TD Bank to Pennsylvania Local Government Investment Trust (PLGIT) ACT 10 Investments.

MOTION CARRIED 4 to 0.

ACT 172 of 2016 \ Active Volunteer Tax Credits:

Ms. Mason reported; the Township is working with Buck County's Tax Collection Committee along with the Montgomery County Group to develop an Ordinance to address earned income credits for Volunteer Fire Fighters and EMS agency non-profit. The goal of the ordinance is to assist in generating more volunteers. In the 1970s, the state recorded over 300,000 volunteers. Today, only 70,000 volunteers are recorded Commonwealth wide. As a member of the Committee, Ms. Mason will provide updates to the Board as the process moves along.

Arbor Day:

Ms. Mason reported; Arbor Day will be held on April 28, 2017, where a celebration is scheduled. The Township is working with Kutz Elementary School to coordinate planting of trees in Central Park to keep the Tree City USA requirements. The April 28th events are scheduled to begin at 12:30pm, where approximately 30 students will participate. Ms. Mason encouraged anyone interested to attend.

Mr. Colello commented; the ACT 172 providing incentive to promote additional fire fighter volunteers is a fantastic concept. To provide a simpler process, he suggested to place an ad in the paper and once all tests and requirements have been met, offer the volunteer a signing bonus of \$1,000. Mr. Snyder questioned; what will be the impact to the Township budget in 2018. Mrs. Lyons explained; the impact is not known at the time. The amount will be noted as a reduction in the Township earned income tax and what the local municipal tax receipts are. Mr. Garton clarified; it will be applied to real estate taxes or earned income tax, not the municipal service tax.

F. Supervisors

Mr. Colello reported; the Doylestown Township Municipal Authority (DTMA) is in the final phases of replacing old water meters. It's estimated that approximately 1,000 meters will be replaced. Response is recorded at 45% and Mr. Colello encouraged the remaining 55% residents contact the Township to have their meters replaced. If the response does not increase, a second notice will be sent and a visit possibly made.

The fire hydrants will be flushed and scheduled for another six weeks.

Two homes along the Sandy Knoll Drive were shown to have high reading of Perfluorochemical (PFC) Contamination. The matter is being addressed along with the Department of Environmental Protection (DEP) to determine a solution.

The pipeline off Saw Mill Road is being moved, as per Board authorization and is going well. The bid will go out in May, where water supply will be provided to those in need.

Mr. Touhill encouraged any interested resident to support the Performing Arts Summer Series by attending scheduled movies and events.

The Environmental Advisory Council (EAC) has scheduled additional clean up days, which will be posted on the website shortly.

Mrs. Lyons reported the Telecommunications Advisory Board (TAB) is working with the Building Committee to create a video explaining the proposed Municipal Complex expansion. She then thanked Ed Ebenbach and Dave Laustsen for their efforts in creating the video.

The Bicentennial Committee has authorized Mrs. Lyons to request Board approval to participate in the Bicentennial celebration by dressing in period attire and conducting the January 2018 Doylestown Township Reorganizational Meeting as presented 200 year ago. The Board agreed by consensus.

## VI. UNFINISHED BUSINESS

### A. Request Tax Collector Fee Change (tabled from 3/21/17)

Upon reviewing the Doylestown Township Tax Collector's request for a fee change, Mr. Snyder questioned; what does the bank currently charge for return checks. Tax Collector; Sarah Tomlinson answered; due to a recent renegotiations, banks do not charge for return checks. She then explained; return check fees are charged to residents as a handling charge for the extra work involved in the administrative process. Mr. Snyder questioned; why isn't the administrative process part of the Tax Collector's salary. Ms. Tomlinson answered; it's standard cost of doing business to charge for additional administrative work for bounced checks.

Mrs. Lyons referenced the "fee up to forty (\$40.00), ten (\$10.00) and thirty (\$30.00) dollars statement noted and questioned what fee is to be charged. Ms. Tomlinson answered; charges will be between \$0 and the highest number of \$40.00. The language is practiced with other Tax Collectors as "not to exceed" or "up to". Mr. Snyder requested to note the tax certification fee at \$30.00.

Mrs. Lyons confirmed Mr. Snyder's request as the language of fees be recorded as no more than \$30.00 for Tax Certification, \$10.00 for Duplication Bill request and \$30.00 for each return check. Ms. Tomlinson requested \$40.00 for the return check fee to have the ability to increase incrementally over time. Mr. Colello questioned; if the total return check charge will be either \$100.00 or \$10,000.00 per year. Ms. Tomlinson was unable to provide a correct amount.

Mr. Colello made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors approve Tax Collector; Sarah Tomlinson's request for Fee Changes with the additional note charges for Tax Certification be up to \$30.00, not \$40.00, \$10.00 for Duplication Bill and \$30.00 for each return check.

MOTION was ADOPTED 4 to 0.

Mr. Colello questioned; what percentage of residents receive a two (2) percentage discount? Ms. Tomlinson offered to provide the results from the last three years at a later time. Ms. Tomlinson indicated; the percentage is high at approximately 85%, but will confirm with documentations.

## VII. NEW BUSINESS

### A. Medical Marijuana Ordinance

Township Planning Consultant; Judy Stern Goldstein referenced Boucher & James's memorandum of March 27, 2017 outlining the draft Medical Marijuana Ordinance as prepared and modified with discussions from the Doylestown Township Planning Commission. Definitions have been added as Medical Marijuana, Medical Marijuana ACT, Medical Marijuana Dispensary, Medical Marijuana Grower

\ Processor and referring back to ACT 16 of 2016 under Medical Marijuana in Pennsylvania. Two new uses were also created as E20 Medical Marijuana Dispensary. The language is similar as what the State permits. The second use is a G18 Medical Marijuana Grower \ Processor under industrial, because growing and processing by ACT 16 has to be combined with the use regulations. The Districts where the use will be permitted under commercial, similar to a pharmacy due to being considered a retail use. The G18 use will be permitted under the LI District as industrial, because it's an industrial type use.

Mr. Garton reported; both uses have to be treated the same as other commercial or industrial uses and cannot be excluded under a commercial district based upon the product, processing or medical sales. Ms. Mason added; a restriction also notes dispensaries cannot be located within 1,000 feet from school or daycare. Ms. Stern Goldstein clarified; other restrictions includes, who can dispense the medical marijuana, what form it can take, such as baked goods or inhalers and the garden processing has to be located indoors.

Mr. Colello commented; if a school is constructed under the three LI Districts and there is no place where the ordinance is met, no adjustments are required to be made. Ms. Stern Goldstein clarified; under ACT 16, growing and processing has to be treated as an industrial type use and permitted under the industrial district. However, if a school or daycare is constructed and all parcels are within 1,000 square feet, before a grower \ processor is allowed, then they will not be allowed in the district. This will allow the Township to comply with the State, because it's permitted as any other use in the district.

Upon reviewing the three LI areas, two have parcels that will comply within the 1,000 square foot restriction. The LI area closest to Route 263 and Swamp Road would not qualify, because of an existing daycare facility in Temple Judea.

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors authorize advertisement of the Draft Medical Marijuana Ordinance.

MOTION was ADOPTED 4 to 0.

B. Village Improvement Assoc. of Doylestown – Request waiver of permit fees

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisor authorize permit fees in the amount of \$100.00 be waived as requested by the Village Improvement Association of Doylestown for banner signage from April 15, 2017 through June 3, 2017 during the Designer House Event.

MOTION CARRIED 4 to 0.

C. National Joint Powers Alliance – National Governmental Purchasing Unit

Ms. Mason reported; similar to the CoStars program, the National Joint Powers Alliance (NJPA) is a national cooperative purchasing ability for municipalities to piggy back onto existing bids. Newtown Township is currently a member, where Township Manager; Kurt Ferguson highly recommends the Township consider the program. Mr. Ferguson found the program beneficial for Public Works, fuel storage and Parks & Recreation equipment. Additionally, most vendors are located in Bucks and Montgomery areas. Upon discussions with Mr. Garton, Ms. Mason concluded; the program will be beneficial during the Municipal Complex renovations. Mr. Garton added; the only charge will be a nominal application fee.

Mr. Touhill made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the Township join the National Joint Powers Alliance (NJPA) program.

## D. Land Development – Metro Storage Doylestown LLC – Preliminary Land Development

Mr. Garton submitted for Board consideration, applicant; Metro Storage Doylestown, LLC Preliminary Final Land Development plan located on tax parcel 9-19-5. The applicant proposes to remove several buildings on the Carosi's site and construct two storage unit buildings. Attorney for the applicants; John VanLuvanee of Eastburn & Gray, PC corrected; the plan is to construct one storage building. Additional improvements will include, off street parking, access will not be off Duane Road, but off Easton Road, and the existing billboard will remain.

The plans were prepared by Bohler Engineering, dated February 23, 2017, last revised on March 24, 2017. At their February 27, 2017 meeting, the Doylestown Township Planning Commission submitted their recommendation for approval, subject to certain conditions. Subsequent to the meeting, the applicant submitted a revised Land Development plan, which addressed most of the comments from various reviewing agencies.

Prior to Board approval of the Metro Storage Preliminary Land Development plan, Mr. Garton outlined the conditions as:

- 1. Compliance with the Boucher & James, Inc., report dated April 5, 2017;*
- 2. Compliance with the decision of the Doylestown Township Zoning Hearing Board that was rendered on October 27, 2016, including any conditions related thereto;*
- 3. The Board of Supervisors granted the Applicant's request for the waivers requested from the provisions of SALDO §153-34.B.(2)(g), §153-34.B.(3), and §153.34.C.(5);*
- 4. The Board of Supervisors further granted the Applicant's request for a waiver from SALDO §153-24.C with respect to the installation of a bike and hike path and agreed to accept your client's proposal to pay a fee in lieu of the bike and hike path in the amount of Six Thousand (\$6,000.00) Dollars;*
- 5. Compliance with the Pennoni & Associates report dated April 5, 2017, except the Board of Supervisors granted a waiver from the requirement to provide a traffic study, noted as SALDO §153-25.E and agreed to accept your client's offer of a fee in lieu to be discussed;*
- 6. Compliance with the Pickering Corts & Summerson review letter dated April 10, 2017, but the Board of Supervisors granted the waivers noted on page 2 of the Pickering Corts & Summerson report;*
- 7. Compliance with the SC Engineering, Inc., letter dated February 14, 2017;*
- 8. Compliance with the Michael Baker International review letter dated April 10, 2017;*
- 9. Compliance with the Bucks County Planning Commission report dated February 16, 2017;*
- 10. The Applicant to pay an offsite improvement fee of \$.25 per 1,000 square feet of space;*
- 11. Funding and execution of development and financial security agreements;*
- 12. Receipt of all permits from any agency having jurisdiction over such matters;*
- 13. Applicant to pay any and all expenses incurred by the Township in connection with the application; and*
- 14. The plans shall be ADA compliant.*

Mr. Garton then address the fee in lieu amount pertaining to the Traffic Study as noted on item 5 of the conditions. Mr. VanLuvanne answered; the applicants are willing to offer Twenty Five Hundred Dollars (\$2,500.00). However, the applicants also indicated; the fee should not be required, due to not being on one state highway and Penn Dot did not require a traffic study. Mr. Garton clarified; when a property is in front of a state road, Penn Dot has jurisdiction over the highway improvements. They have elected not to inquire a traffic study, but the applicants will reimburse the Township as a token of good faith and contribution.

Mr. Snyder questioned; without the traffic study, is the traffic count known in and out of the site. Mr. VanLuvanne answered; the count is very low and placed in the report. Due to the report being low, Penn Dot did not require a traffic study.

Mr. Colello commented; the offer is fair and the applicants have been very accommodating with the Bike and Hike Committee and is in favor of the \$2,500.00 offer. The Board agreed.

On behalf of Metro Storage, the aforementioned conditions were agreed by Mr. VanLuvanne.

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve Metro Storage Preliminary Land Development plan with conditions as set forth by Township Solicitor; Jeffrey P. Garton.

MOTION was ADOPTED 4 to 0.

E. Metro Storage Doylestown LLC – Planning Module

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Metro Storage Doylestown, LLC Sewerage Facilities Planning Module.

MOTION was ADOPTED 4 to 0.

F. Road Materials Bid

Mr. Touhill made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors award the 2017 Road Material Bid to Eureka Stone Quarry, Inc., Hanson Aggregates, BMC, Inc, HEI-Way, LLC, Miller Materials, Plumstead Materials in accordance Bucks County Consortium 2017 Materials bids.

MOTION was ADOPTED 4 to 0.

G. Sign and Post Bid

Mr. Snyder questioned; how does 2017 pricing compare with 2016. Mr. Tomko answered; the award amount in 2016 was \$10,695.20. The estimated amount in 2017 is approximately \$7,700.00.

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors award the 2017 Sign Materials and Posts bids to Chemung Supply Corporation, Custom Products Corporation, Garden State Highway Products, US Municipal Supply in accordance with Bucks County Consortuium 2017 Sign Materials and Post bid.

MOTION was ADOPTED 4 to 0.

H. Treasures Report – April 18, 2017

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the April 18, 2017 Treasurer's Report.



MOTION was ADOPTED 4 to 0.

I. Bills List – April 18, 2017

Mr. Touhill made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the April 18, 2017 Bill's List in the amount of \$330,485.28.

MOTION was ADOPTED 4 to 0.

**VIII. ANNOUNCEMENTS**

- A. The next meeting of the Board of Supervisors is scheduled for Tuesday, May 2, 2017 at 4:00PM
- B. The Bicentennial Committee meeting is scheduled for May 2, 2017 at 2:30pm. public is welcome to attend
- C. Community Yard Sale – April 29, 2017, 8:00 AM – 1:00 PM - Central Park Tennis Court Parking Lot. Shoppers are Free, Vendors Fee \$25.00
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- G. Doylestown Township Annual Golf Outing – June 5, 2017 at Doylestown Country Club. Registration Deadline: May 15th. Please contact the Administration offices or [www.doylestownrec.com](http://www.doylestownrec.com) to register. The event is a fundraiser for the final Phase of the Build the Kid Castle Kingdom
- H. The Environmental Advisory Council is holding a Magnet Fundraiser. Magnets are being sold in the Administration office for \$5.00.
- I. Doylestown Township will be holding an E-cycling event through PAR Recycle Works on June 3rd from 10am-1pm for Doylestown Residents ONLY.

**IX. ADJOURNMENT**

Hearing no further business, the April 18, 2017 Doylestown Township Board of Supervisors Regular meeting was adjourned at 5:52pm.

Respectfully submitted by

Stephanie J. Mason