

Board of Supervisors

Minutes from

August 18 , 2009

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:03 p.m. on Tuesday, August 18, 2009 at 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: E. Thomas Scarborough, Jr., Supervisors: Barbara Eisenhardt, Cynthia Philo and Jeffrey Bennett. Others in attendance included Township Solicitor: Jeffrey P. Garton, Chief of Police: Stephen J. White, Director of Operations: Richard E. John; Township Manager: Stephanie J. Mason.
Absent: Township Engineer: Mario Canales

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION:

Mrs. Lyons apologized for beginning the meeting late. The Board held an Executive Session prior to this meeting and addressed matters of litigation and personnel.

PUBLIC COMMENT:

Mr. Bingler questioned the Board regarding the Township's removing animal carcass off roads. Chief White answered by stating although it's not the practice of the Township; we do however, when the Pennsylvania Game Commission cannot remove the carcass.

ANNOUNCEMENTS:

The Board of Supervisors will not meet on September 1, 2009. Doylestown Township will be closed on Monday, September 7, 2009, in observance of the Labor Day holiday. The next Board of Supervisor meeting will be held Tuesday, September 15, 2009.

MINUTES APPROVAL:

Due to several questions and revisions regarding the July 21, 2009 Board of Supervisor's minutes, the Board decided to table approval of the minutes until the September 15, 2009.

CORRESPONDENCE:

Doylestown Dog Park

Mrs. Lyons introduced John Bray; Chairman of Doylestown Parks and Recreation Board. As per a memo Mr. Bray sent to the Board, Mr. Bray indicated that the Friends of Doylestown Dog Park and the Park and Recreation Board searched the area and found

Sauerman Park most suitable for a dog park. Mr. Bray asked for the Board's approval to have the Dog Park Committee explore the site further in order to present a budget and plan for the dog park.

Mrs. Lyons suggested the committee perform an assessment regarding the interest around the neighborhood. As a resident of the area, Mr. Scarborough reminded Mr. Bray, of a volley ball court, baseball field and playground at Sauerman Park. Due to the use of these fields, only a portion of the park should be considered for the dog park.

Mrs. Eisenhardt made a MOTIONED to approve the Committee continue their survey of Sauerman Park as the future site for a dog park, seconded by Mrs. Philo.

MOTION was ADOPTED 5 to 0.

SOLICITORS:

Termination of Officer James O'Connor

Mr. Garton asked for the Board's consideration, in the termination of Officer James O'Connor. Police Chief White filed charges on March 23, 2009 in regards to an incident on February 6, 2009. At the request of Officer O'Connor a public hearing was conducted on May 22, 2009.

Mrs. Eisenhardt made a MOTION to accept Chief White's recommendation and adopt the decision to terminate Officer James O'Connor, seconded by Mr. Bennett.

MOTIONED was ADOPTED 4 – 0-1 with Ms. Philo abstaining as she did not participate in the hearing.

Route 202 Parkway Project

Mr. Garton stated the following properties have been condemned by the Pennsylvania Department of Transportation (PennDOT) in order to effectuate the Parkway.

1. A portion of Central Park, Doylestown. TMP# 09-007-138
 2. A portion of an area across from Wells Road, Doylestown. TMP# 09-059-107
- As a requirement, Pennsylvania Department of Transportation offered monetary compensation to purchase the properties for title. After an appraisal completed by Doylestown Township, it was found the properties are worth more than the offer from PennDOT. Mr. Garton further explained the Board does not have to accept the offer, but have authorization from the Chairman of the Board execute the appropriate documents to accept the estimate just compensation of the two properties. This will enable the Board to review the purchase and adjust the price at a later date. Mr. Bennett questioned the time table of the process for the Board of Review. Mr. Garton answered around the fall of this year, once certain items are put in place.

Mrs. Eisenhardt MOTIONED, seconded by Mr. Bennett.

MOTION was ADOPTED 5-0

POLICE CHIEF:

Police Chief White announced that Sergeant Brad Zartman resigned the Police Department on March 15, 2009 to join the Federal Bureau of Investigation. Upon his graduation on August 5, 2009, Sergeant Zartman was not only the speaker of the graduation, but took top place in Hand and Shot gun. Police Chief proudly announced that Sergeant Zartman was given the FBI Director Leadership Award for the graduates of the class. Police Chief White added this is the fourth officer to graduate from the department to the FBI, as well as three officers to go on and become Chief of Police in other jurisdictions.

TOWNSHIP ENGINEER No Report

TOWNSHIP MANAGER

Ms. Mason suggested the Board schedule Tuesday, October 6, 2009, 4:00 p.m. for the Fall Road Inspection. The Board agreed.

Colonial Life

Ms. Mason presented the Board with information from Colonial Life, as a supplemental health insurance, which would be paid by the employees of the Township.

Mr. Scarborough made a MOTION to accept the proposal of Colonial Life available to the Township employees, as a supplemental health insurance for the employees at their own expense, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

71 Buttonwood

Ms. Mason requested to place on record, the authorization to bring forward an emergency public sewer system connection at 71 Buttonwood, Doylestown.

Ms. Philo made a MOTION to ratify the action of placing the public sewer system at 71 Buttonwood, seconded by Ms. Eisenhardt.

MOTION was ADOPTED 5 to 0.

SUPERVISORS:

August 20, 2009 Meeting

Mrs. Lyons announced that the Board of Supervisors special meeting scheduled for August 20, 2009 regarding Rogers Road was canceled, due the scheduling conflict among the residences. The Board hopes to reschedule in the last week of September. The Board

will inform the public on the rescheduled date and place of the meeting.

Summit on Aging Survey

Ms. Eisenhardt referred to a survey sent to the Summit on Aging, by the Telecommunication Advisory Board regarding videotaping their daytime speakers, so that this tape may be presented to the senior centers and made available to other municipalities for viewing. Ms. Eisenhardt noted no one, specifically from the committee, was copied on the survey. Ms. Mason answered her question, by stating the survey was sent to Mr. Lloyd, Chairman of the Summit on Aging.

Public Water on Edison Furlong

Ms. Eisenhardt requested the Board schedule a public meeting in the fall regarding the public water option on Edison Furlong Road. Ms. Eisenhardt believes that townships should be proactive and explain to the public the limited provisions in Doylestown and receive input regarding the limited ordinances. For example; Doylestown Township does not have provisions that require connection to public water if the household currently has contaminated well water. Also, a resident with well water does not have to close the well, if they chose to switch to public water. Ms. Eisenhardt concluded that a mandate if there is a contaminated well should be put in place prior to the Department of Environmental Protection supplying the public water option to the residence. Mr. John informed Ms. Eisenhardt, that Doylestown Township does have an ordinance to abandon a well.

Resident: Mr. Bingler added the Cross Keys public water project presentation was completed in a professional manner more so than Edison Furlong and agreed the well if contaminated, should be abandoned.

A discussion ensued on whether the Board or Department of Environmental Protection should address the ordinance questions and if a fact sheet from DEP should be provided for the public's consideration. Ms. Eisenhardt volunteered to contact DEP for documents regarding public water system ordinance. Mr. Garton suggested Mr. John send a copy of Doylestown well abandonment ordinance to the Board.

Mr. Scarborough No Report

Mr. Bennett No Report

Ms. Philo

Advertisement for Committee Vacancies

Ms. Philo announced that Ms. Mason provided a sample block advertisement for the Committee vacancies for the end of August and after Labor Day. Ms. Philo had concerns regarding the letter dated August 13, 2009, may state that the Board will re appoint the current Committee applicants holding these positions and not consider anyone else. Ms. Mason clarified by stating the letter is for the present committee member to inform the

Board whether or not they would like to be reappointed for the Committee position. Ms. Eisenhardt questioned the procedure of the re-application for present committee member by stating she believed that candidate was not interviewed and automatically re-appointed. Ms. Mason referred to the letter and that it states the present members may be contacted for an interview with the Board of Supervisors. Ms. Eisenhardt suggested the letters sent to the current committee members' be changed. Ms. Mason indicated consideration of appointees and reappointment to Boards and Committees are always at the discretion of the Board of Supervisors.

Professional Service Contracts

Ms. Philo made a MOTION, the Board reconsider sending out request for proposals of professional service contracts for Doylestown Township, seconded by Ms. Eisenhardt.

Mr. Bennett adamantly disagreed with the motion, stating that he believes the timing of the motion is inappropriate. Mr. Bennett added the professional service is exempted from the public bidding law for a reason. After researching and speaking to other municipalities, they all agree that the current professional servicing the township is the most cost efficient due to the quality of service they provide to the township. There is no way you can measure the quality of service by considering the lowest price of a bid. Mr. Bennett pointed out to the Board, due to this quality of service the Township has come in under budget for all services and never had a problem. Mr. Bennett concluded his statement by stating that the Township has their "checks and balances" in place by allocating a reasonable budget in January, then requiring the professional services submit their fee structure at the reorganizational meetings. Due to costs being carefully guarded monthly and annually, Mr. Bennett never heard a complaint from anyone regarding the quality of service since being on the Board and concluded that he sees no reason to change the services provided to the Township.

Ms. Philo strongly defended her motion by stating it would be "foolish" in this economy, not to request proposals for services. Ms. Philo added when the Request for Proposals (RFP) are written, the Township's budget, qualifications are taken into consideration Ms. Philo believes that Doylestown Township should be "forward thinking" by reviewing other proposals that may be even more cost effective for the township. The township could be a well rounded township by viewing all choices of a professional service. She added that reviewing all RFPs, is professional and proactive in making the right decision for a professional service.

Ms. Eisenhardt agreed with Ms. Philo by stating the Board may be "disingenuous" of the Board to select the professional staff solely on pricing. The Board had the same services since the 1980s. It is the Board's responsibility to consider not only the services currently provided, but other solicitors and their services. Ms. Eisenhardt is concerned the Board is not looking at the total service package each solicitor can provide and not just the bottom line. Ms. Eisenhardt, also voiced her concerns of possible conflicts of interest due to the fact that Mr. Garton, is not only the solicitor for Doylestown Township, but also for Bucks County Water and Sewer Authority and Central Bucks School District as well as currently being on the Bucks County Conservation District.

Mr. Bennett disagreed by stating, the all services are viewed at intervals and annually, adding “there is an inherent value” of services provided over an extended time. It cannot be written into a RFP, the knowledge of how the services are done within the township’s guidelines. Mr. Bennett challenged that this is the reason why the budget has been so successful over the years.

Mrs. Lyons suggested instead of Request of Professional Service, each Board member gives their suggestions any time. Ms. Lyons provided her opinion by stating, she believes the Board has the “top of the line” professionals that understand the Township’s needs and she takes comfort in knowing so.

Mr. Scarborough interjected by stating “If it ain’t broke, don’t fix it”. As the immediate past president of Bucks County Association of Township Officials, Mr. Scarborough had the opportunity to survey twenty municipalities, not one municipality thought it was a good idea to request referral of professional services. Mr. Scarborough added Mr. Garton, is the best and most renowned solicitor of all Bucks County with competitive prices. Mr. Scarborough proved this fact by noting an article from the Intelligencer, that listed pricing for all solicitors in Bucks County, and Mr. Garton was the lowest amongst other solicitors. Mr. Scarborough added that Doylestown Township is already the leader in skilled professional services and an award winning Township.

Resident: John Everett, Turk Road, asked the Board what is the downside of viewing all proposals and then rejected them if they are not up to the Township’s standard.

Mr. Bennett, answered with his beliefs it would not be productive and the professional services are the best price and quality of service within the Township’s standards.

Resident: Elaine Carlson, Turk Road commented on the Board’s discussion on how to deal with RFPs.

Ms. Philo made a MOTION, seconded by Ms. Eisenhardt.

MOTION FAILED 2– 3 with Bennett, Lyons, Scarborough voting nay.

Traffic Advisory Committee.

Ms. Philo informed the Board the Traffic Advisory Committee requested a survey be sent to Sauerman Road. The Township Supervisors did not have time to review the survey prior to the last meeting.

Ms. Philo made a MOTION that the survey be sent to the residents of Sauerman about traffic calming measures, seconded by Ms. Eisenhardt.

MOTION and ADOPTED 5-0.

NEW BUSINESS:

4th Amendment – Intermunicipal Agreement Pools Corner Water Service

Mr. John received a request to provide water service in Buckingham Township, between the corner of Routes 313 and 202. The First Savings of Perkasio will now be occupying the corner in Buckingham. Doylestown Borough only has water service in that area.

Mr. Bennett questioned the \$2,000.00 cost of the Authority. Mr. John answered by stating the First Savings of Perkasio will pay the fee and Doylestown Township Intermunicipal Agreement will have usage authority.

Mr. Scarborough made a MOTION to accept water service for the area on the corner in Buckingham and amend the Intermunicipal Agreement with Doylestown Boro, seconded by Mr. Bennett.

MOTION was ADOPTED 5 to 0.

Zoning Hearing Board Application for Shady Retreat Road

Ms. Mason recommended the Zoning Hearing Board applications be accepted as is. Ms. Mason recommended that Craig Built Homes and Schierer application be under the discretion of the Zoning Hearing Board. The Board of Supervisors agreed.

2010 Pension MMO

Ms. Mason shared with the Board the 2010 Financial Requirement and Minimum Obligation that need to be adopted by September 30, 2009. Finance Officer; Bill Wightman informed the Board that state aid will be about \$200,000.00 per year. Mr. Wightman also noted decision of the Board will be permanent. He suggested the Board select the lowest of the three pension plan option supplied and after the Township's budget is completed, in order to contribute the higher plan at a later time.

Ms, Lyons made a MOTION to accept Mr. Wightman's suggestion and contribute to the lowest paying 2010 MMO pension plan and utilize the 1/1/07 Valuation Report, seconded by Mr. Scarborough.

MOTION and ADOPTED 5-0

TREASURER'S REPORT:

Mr. Scarborough made a MOTION to approve Treasurer's Report, seconded by Ms. Eisenhardt

MOTION and ADOPTED 5-0

BILL'S LIST:

Mr. Scarborough made a MOTION to approve the August 18, 2009 Bill's List, in the amount of \$637,953.39, seconded by Ms. Eisenhardt

MOTION and ADOPTED 5-0

ANNOUNCEMENTS:

The Board of Supervisor's next meeting is scheduled for September 15, 2009, 7:00 p.m. The Board will not meet on September 1, 2009. The Township's Office will be closed on September 7, 2009 for the observance of Labor Day.

Mrs. Lyons announced to the public, Doylestown's World Wide World of Play, Saturday, September 26, 2009, in Central Park organized by the No Child Left Inside coalition, Bucks County, beginning at 10:00am.

ADJOURNMENT: 8:13 p.m.

Respectfully submitted,

Stephanie J. Mason, Secretary