



Board of Supervisors

Regular Meeting

~ Minutes ~

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

Stephanie Mason
215-348-9915

Tuesday, December 20, 2011

7:00 PM

Public Meeting Room

In attendance: Chairman Barbara N. Lyons, Vice Chairman Richard F. Colello, Member E. Thomas Scarborough, Jr., Member Barbara Eisenhardt, Member Cynthia M. Philo, Solicitor Jeffrey Garton, Twp. Engineer Mario Canales, Chief of Police Stephen White.

I. 6:45 PM EXECUTIVE SESSION –

The Board and Township Manager met in Executive Session, prior to the meeting to discuss matters of Township Manager and Police Chief's contract, hours of operation and number of meetings per year. The Board also agreed to vote to extend the Police Chief and Township Manager's contract with amendments at the January 3, 2012 Re-organizational meeting.

II. 7:00 PM REGULAR MEETING

A. Pledge to the flag

B. **Presentation –**

1. Bird Town Designation – K. Peters

Environmental Council Chairperson; Keith Peters presented the Board with a plaque, on behalf of the Pennsylvania Audubon to recognize their participation in the Birdtown Program.

2. Employee Retirement – D. Person

Mrs. Lyons presented Ms. Dorothy Person with a plaque recognizing her 17 years of service from February 22, 1994 until December 23, 2011. On behalf of Doylestown Township the Board wishes Ms. Person well in her retirement.

C. Visitors/Public Comments

Resident; Madeline Rawley of 361 Birdsong Way, Doylestown thanked the Board for their assistance in delaying the lifting of the moratorium and gas drilling along the Delaware River Basin. The governor of New York and Delaware recently voted not to lift the moratorium. She encouraged the Board to continue communications with the Delaware River Basin Commission. Ms. Rawley also encouraged the Board to contact any house legislators to stop a bill from passing that will take away local control from municipalities.

Ms. Rawley then voiced her concern with another bill that will stop the issuance of state photo identifications cards, preventing seniors and disabled persons who don't drive from voting. She fears lines are going to form at polling places and again asked the Board to contact state legislators.

Resident; Lee Schwarz of 189 Sunset View Drive thanked Board of Supervisors, Barbara Eisenhardt and Cynthia Philo for their outgoing services and was sorry to see them go. He then commended the Board's effort in assisting the residents of Colonial Heritage and requested one supervisor be designate to assist the residents along Rogers Road in the same way. Mr. Schwarz's final comment was prior to the Board approving the budget at tonight's meeting the floor will be opened for public comment.

III. ANNOUNCEMENTS

- A. Doylestown Township Municipal Offices will be closed Monday, December 26, 2011 in observance of Christmas and Monday, January 2, 2012 in observance of New Years.
- B. The Board of Supervisors Reorganization meeting is scheduled for Tuesday, January 3, 2012, time to be announced.
The Doylestown Township Board of Supervisors agreed by consensus to hold their January 3, 2012 Reorganization Meeting at 10:00am.
- C. Doylestown Township Board of Auditors Reorganization meeting will be held on Wednesday, January 4, 2012, time to be announced.
- D. The next regularly scheduled meeting of the Board of Supervisors will be held on January 17, 2012 at 7:00pm.
- E. Christmas Tree Drop-Off - Trees can be dropped off behind the Township Building anytime between December 26th – January 15th or Residents can sign up to have their trees picked up for recycling on January 7th. Email the Township by January 2nd if you would like to schedule for tree collection.

IV. MINUTES APPROVAL – Regular Meeting - November 15, 2011

Mr. Scarborough made a MOTION; seconded by Ms. Philo the November 15, 2011 Doylestown Township Board of Supervisors meeting minutes be approved.

MOTION was ADOPTED 4 to 1 with Mrs. Eisenhardt abstaining due to her absence.

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the October 6, 2011 Doylestown Township Road Inspection minutes be approve.

MOTION was ADOPTED 3 to 2 with Mr. Colello and Ms. Philo abstaining

V. CORRESPONDENCES

- A. Neshaminy Greenway, Phase 1

Ms. Mason announced the township was awarded a grant, in the amount of \$130,148.00 on behalf of the proposed Phase I, Regional Trail Program Neshaminy Greenway program from the Delaware Valley Regional Planning Commission (DVRPC). A grant was recently requested for a feasibility study for Phase II of the Neshaminy Greenway Trail.

VI. REPORTS

- A. Solicitor

No Report

- B. Police Chief - Neshaminy Manor Service Agreement

Chief White reported on March 18, 1998, Doylestown Township entered into a service agreement with Bucks County because of the level of police service calls at the Neshaminy Manor Complex. At the time, it was determined the police department handled 104 calls for

service in the first 11 months in 1997. The County Commissioners agreed to pay the township \$10,000.00 for an original period of 10 years and renew the contract on a 1 year basis after the 10 years, which expired on December 31, 2008.

Chief White was recently contacted by Chief of Security; Chris Daley who provided a new agreement which states the County will pay the township \$5,000.00 in 2012 and the service agreement would be terminated on December 31, 2013. Upon researching the number of Neshaminy Manor Complex calls in 2010, Chief White found the department handled 145 calls and 127 in 2011. He recommends Doylestown Township not terminate the service agreement in 2012. Rather negotiate a new contract with the County Commissioners to reflect the increasing workload by raising the original \$10,000.00 per year service fee, because the new agreement does not include the Bucks County Prison, Men's and Women's Community Center, Edison Youth Center, Training Facility and the Pin Run Reservoir.

Mrs. Lyons questioned if the township can suggest the Sheriff's Department be included. Chief White answered; the Sheriff's Department does not have the authority to investigate criminal defenses.

The Board agreed to review the new agreement in early January of 2012.

C. Township Engineer - Temple Judea – Request to Move Excess Topsoil

Mr. Canales reported the site contractor for Temple Judea; A.H. Cornell & Son, Inc. requested Board of Supervisor's approval to remove the excess topsoil from the Temple Judea jobsite and donate it to Central Park as per the Subdivision Land Development Ordinance. Mrs. Eisenhardt questioned if conservation permit is needed. Mr. Garton responded; conservation permits is only needed if additional disturbance will be made to the park. Mr. Canales believes Central Park is a permitted site, but will be up to the contractor to move the soil.

Ms. Philo made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors approve A.H. Cornell & Son, Inc. donate and move excess topsoil from the Temple Judea jobsite to Central Park subject to all permit requirements.

MOTION was ADOPTED 5 to 0.

D. Manager

Ms. Mason reported the Pennsylvania Department of Transportation (Penn Dot) began in the process of replacing the Castle Valley Bridge six months ago. The relocation of Verizon pole impacted the replacement of the bridge. Delays occurred when Verizon went on strike and pushed back the completion date of the project to June 6, 2013. Upon discussions with Project Manager for Castle Valley Bridge; Mike Dibella to complete the project faster, it is proposed the bridge be completely closed for six months giving the contractor full access for repairs. This will enable the project to be completed before the end of 2012. Chief White, Ms. Mason and Mr. John recommend the Board consider closing the bridge for six months to have the repairs completed as soon as possible.

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve Penn Dot close Castle Valley Bridge for six months to complete repairs by the end of 2012 for the purpose of discussion.

Mrs. Lyons commented she would like to know the exact time line for repairs to assure the repairs will begin as soon as the bridge is closed and not six months later. Ms. Mason answered; Penn Dot is scheduling the closure for January 9, 2012.

Ms. Philo voiced her concern with emergency response services once the bridge is closed and impact of surrounding neighbors.

Resident; Lee Schwarz questioned what impact will the closure have to neighboring residents and if an exact start and end date been provided.

Justin Orient of JD Eckman; contractor of the project was present and explained the plan is to closed the bridge on January 9, 2012 and begin repairs immediately to complete by the end of 2012. A confirmed end date cannot be provided at this time, but there is a firm schedule in place. Ms. Philo questioned what is being done currently. Mr. Orient responded; due to Verizon delays only a construction access road was created along Almshouse Road side of the bridge. Ms. Philo then questioned will there be any monetary fines in place if the project is not completed within the projected six months. Mr. Garton asked if the contract between JD Eckman and Penn Dot will be restructured pertaining to the end date. Mr. Orient answered; their contract with Penn Dot is effective until the end of 2013, however he feels confident the repairs to the bridge will be completed by the end of 2012. Mr. Garton then asked if there is a liquidation clause included for not meeting the deadline. Mr. Orient indicated at this point there is no liquidation clause, but his contract is effective until 2013.

Chief White responded to the emergency response concern by stating the emergency response are designated to their own zones and responses would be coming from either Chalfont or Warrington. He recommends closing the bridge and completing the repairs as soon as possible.

Resident; Lee Schwarz questioned if the bridge repair will affect the township from receiving monies for the annual fair. Mrs. Lyons responded; their will is no effect and the bridge was considered closed for the purpose.

MOTION was ADOPTED 4 to 1, with Ms. Philo abstaining until a change of contract with a time line is presented.

Ms. Philo questioned how will the residents be notified of the bridge closure. Mr. Orient answered; a two week notice will be given and distributed by the end of this week.

Bridge Repairs by Penn Dot to Eastern Road Bridge and Bristol Road Bridge

Ms. Mason reported Penn Dot will begin to make improvements to the culvert on Easton Road over the branch Neshaminy Creek for the spring of 2012.

Penn Dot will begin to make improvements to the spandrel wall and wing walls on Bristol Road that will close the bridge and detour traffic for approximately four months beginning in 2012.

Penn Dot will begin to make improvements to the spandrel walls and wing wall on the Old Dublin Pike over Pine Run that will close the bridge and detour traffic for approximately four months beginning in 2012

Ms. Mason and Mr. John will be meeting with the township's traffic consultant and Penn Dot to coordinate repairs and provide additional information as received.

DAA Recognition Request

The Doylestown Athletic Association (DAA) requested the Board's permission to install a plaque at one of the Turk Park baseball fields in honor of Paul and Kim Zikmund who are stepping down as Baseball Sport Directors after nine years of service.

Mr. Scarborough made a MOTION; seconded by Ms. Philo the Doylestown Township Board of

Supervisors approve placing a plaque on the backstop located at Turk Park in honor of Paul and Kim Zikmund.

Mrs. Eisenhardt commented to plaque should be placed within the naming rights provisions as adopted. Parks & Recreation Director; Karen Sweeney responded; the request is only for recognition.

MOTION was ADOPTED 5 to 0.

E. Supervisors

Mrs. Eisenhardt encouraged the newly appointed Board of Supervisors to take the challenge and reopen the township's budget after the New Year to see if they can pay bills and keep the millage down without raising taxes.

Mr. Scarborough wished everyone Happy Holidays.

Ms. Philo wished everyone Happy Holidays and thanked all the residents and fellow supervisors for a great six years and interesting ride. She also wished the incoming supervisors best of luck.

Mr. Colello reported next year many bike and hike paths will be completed where residents will be able to either walk or ride bikes from the township building to the New Britain Train Station and from Doylestown Hospital to Peace Valley Park.

Mrs. Lyons wished Mrs. Eisenhardt and Ms. Philo the best of luck and thanked them for their service.

VII. PUBLIC HEARING

A. Proposed Ordinance - Outdoor Furnaces

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors adopt the provisions of the Doylestown Township Code of Ordinances so as to create a new Chapter 101, Outdoor Furnace.

Public Comment: None

MOTION was ADOPTED 5 to 0

VIII. UNFINISHED BUSINESS

A. Dog Park Agreement

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors accept the agreement between Doylestown Township and the Friends of the Doylestown Dog Park to establish a dog park located on a portion of land at Turk Park III.

MOTION was ADOPTED 5 to 0.

IX. NEW BUSINESS

A. 2012 Final Budget

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors adopt the Doylestown Township 2012 Final Budget.

Public Comment:

Resident: Lee Schwarz questioned if the budget will be allowed to be reopened once it's voted on. Mr. Garton answered; when one or more new members are elected to the Board of Supervisors prior to November the budget is allowed to reopen until the first two weeks of the follow January. The restrictions are the amount of the overall budget cannot be raised more than 10% nor any one line item as identified as reported to the State more than 25%. There are no restrictions in reducing the budget.

Mr. Schwarz would like the Board of consider reducing the tax rate for 2012, because of recent monies that were received by the township. Mr. Garton informed the Board they could adjust the revenue projections to justify a reduction in the millage. Mrs. Lyons commented with each millage at a cost of \$267,000 and an increase in revenue at \$300,000 would be too close for comfort to make a difference. Mr. Schwarz again asked the Board to consider reducing the tax rate since \$400,000 does not have to be taken from the reserve for the 2013 budget. Mrs. Eisenhardt added in fairness to the new members of the Board, a tax reduction should be considered. Ms. Mason added although they may be some room, it's best to be conservative with line items that are expected in 2012.

Ms. Philo questioned if the new budget has a cost of living wage increase for township employees. Ms. Mason indicated it does not; there are funds currently set aside pending arbitration settlement for the uniformed employees.

Mrs. Lyons made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors adopt the 2012 Final Budget with the addition of 2% increase amendment for a cost of living increase for non-uniformed township employees.

Resident; James Bingler of Turkey Lane, Furlong questioned if the Board considered giving up their health insurance. He quoted a recent article in which Mr. Colello stated the Board's healthcare will cost \$1.00 per resident and it's worth it. Mr. Colello clarified his compensation at \$1.00 per resident per year for his salary is the best dollar spent. He explained there isn't a better value out there for the work performed by the Board and is proud of the work he does for the township.

Ms. Philo indicated she will not vote to approve the budget if the health care is included. She feels the monies should go to non-uniformed, employee raises and the supervisors have a salary of \$4,000.00 instead of \$17,000.00.

MOTION FAILS to approve the Final 2012 Budget with the amendment to include a 2% cost of living raise for non-uniformed employees with a vote of 2 to 3 with Mr. Scarborough, Mr. Colello and Ms. Philo voting nay.

Resident; Mr. Schwarz asked if a 2% change would equal \$34,000.00. Ms. Mason indicated it was correct. Mr. Schwarz questioned if the \$34,000.00 can be moved into the Beneficial Item account for projects that should be done, but not necessary, would it require a change in the budget. Mr. Garton answered the Board can request the change and no re-advertisement is required.

MOTION was ADOPTED to approve the Final 2012 Budget with a vote of 3 to 2 with Ms. Philo and Mrs. Eisenhardt voting nay. Mrs. Eisenhardt commented she is not voting to approve the budget, because the new members of the Board have the right to reopen the budget.

B. Resolutions – Fixing the Tax Rate for Fiscal Year Ending December 31, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Board of Supervisors accept the Resolution - Fixing the Tax Rate for the Fiscal Year Ending December 31, 2012.

MOTION was ADOPTED 4 to 1 with Mrs. Eisenhardt voting nay.

Resident; Mr. Schwarz questioned if there will be a change in the allocation. Mr. Garton stated is should be noted in the resolution.

C. GASB54 Resolution – Fund Balance Policy as of 12/20/11

Mrs. Eisenhardt made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors accept the Resolution to adopt the Fund Balance Policy that will establish classifications to bring clarity and consistency to reporting.

MOTION was ADOPTED 5 to 0.

D. 2011 Township Audit – Recommendation

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors award the 2011 Doylestown Township Audit bid to Major & Mastro LLC for \$11,000 at 250 hours to complete the audit, as per the recommendation from the Township Manager; Stephanie Mason.

MOTION was ADOPTED 5 to 0.

E. VALIC – Updated 457

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors adopts the VALIC updated 457 Specimen Document for Government Employees in order to be compliant with the Internal Revenue Service Federal Tax Legislation.

MOTION was ADOPTED 5 to 0.

F. MMO – Uniformed Employees for 2012

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors accept additional funds in the amount of \$467,780 be included with the Minimum Municipal Obligation (MMO) budget for 2012.

MOTION was ADOPTED 5 to 0.

G. Public Works Backhoe – Lease Purchase Agreement

Mr. Colello made a MOTION; seconded by Mr. Scarborough the Doylestown Township Board of Supervisors accept the Lease Purchase Agreement between the Township and Earthborne, Inc. to lease a 2012 Backhoe Loader for three years in the amount of \$55,308.00 and subject to clarification that after three years the township will purchase equipment for \$1.00.

Mr. Colello questioned where in the lease agreement does it states the township will be able to purchase the equipment after three years. Mr. Garton suggested the Board approve the lease agreement subject to clarification of purchase.

MOTION was ADOPTED 5 to 0.

H. 2012 DTMA Budget – Acknowledgement of Receipt

The Doylestown Township Board of Supervisors acknowledges receipt of the Doylestown Township 2012 DTMA Budget.

I. Thompson Development Agreement – Phase One

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors accept the Development Agreement between the Township and Thompson Properties regarding Phase I of the Thompson Land Development Plan.

MOTION was ADOPTED 5 to 0.

J. Treasurer's Report – December 20, 2011

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the December 20, 2011 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

K. Bills List – December 20, 2011

Mr. Scarborough made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors approve the December 20, 2011 Bill's List in the amount of \$283,113.08.

MOTION was ADOPTED 5 to 0.

X. ANNOUNCEMENTS**XI. RECOGNITION - Out Going Supervisors - Barbara Eisenhardt and Cynthia Philo**Barbara Eisenhardt

Mr. Colello presented Mrs. Eisenhardt with a plaque recognizing her service with the Board of Supervisors from January 3, 2000 through December 20, 2011. Ms. Mason presented Mrs. Eisenhardt with a picture of Doylestown Township.

Mrs. Eisenhardt thanked everyone and stated it was a pleasure working at the township and hopes she made it a better place.

Cynthia Philo

Mrs. Lyons read a resolution honoring Ms. Cynthia Philo's achievements during her 6 years of service as a member of the Doylestown Township Board of Supervisors.

Mr. Colello presented Mrs. Eisenhardt with a plaque recognizing her service with the Board of Supervisors from January 3, 2006 through December 20, 2011. Ms. Mason presented Mrs. Eisenhardt with a picture of Doylestown Township.

Mrs. Lyons announced both Mrs. Eisenhardt and Ms. Philo's names are presented on the Wall of Honor listing all who served on the Doylestown Township Board of Supervisors.

Ms. Philo thanked everyone and stated one of the items she is most proud of is the meetings now being televised and encouraged everyone to watch.

Residents; Jim and Sue Bingler presented flowers and read a letter to Mrs. Eisenhardt and Ms. Philo thanking them for all of her assistance, support, hard work and friendship towards the community.

Resident; Madeline Cawley thanked Mrs. Eisenhardt and Ms. Philo for their contributions towards televising the meetings and their service.

XII. ADJOURNMENT

Ms. Philo made a MOTION; seconded by Mrs. Eisenhardt the Doylestown Township Board of Supervisors meeting of December 20, 2011 is adjourned.

Respectively submitted by

Stephanie J. Mason
Secretary