



Board of Supervisors

Regular Meeting

~ Minutes ~

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

Stephanie Mason
215-348-9915

Tuesday, July 17, 2012

7:00 PM

Public Meeting Room

I. 7:00 PM REGULAR MEETING

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

A. Pledge to the flag

B. Visitors/Public Comments

Mr. Scarborough made a MOTION; seconded Ms. Manion the Doylestown Township Board of Supervisors appoint Mr. Sean Sablosky as an alternate member of the Environmental Advisory Board.

MOTION was ADOPTED 5 to 0.

VISITORS / PUBLIC COMMENTS:

Resident; Joseph Paternostro of Houk Road requested dates for the household hazardous waste collections event at Neshaminy Manor be advertised in the Township's newsletter.

Resident; Lee Schwarz of 189 Sunset View Drive questioned if bike paths installed by the township are located in public right of ways. Also, does the township pay to install fencing along private property when a bike path is located along the property line. Mr. John answered; the township did pay for recent fencing installed and the bike path is located on a right of way. Installation depends on negotiations between the township and homeowner. However, the township will not leave anyone stranded when improvements are completed for the township. Mr. Schwarz then questioned if a resident's property is located along a township's bike path, a request can be made to install a fence. Mr. John answered; yes, a request can be made and will be considered by the township depending on circumstances.

II. ANNOUNCEMENTS

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, August 21, 2012.

B. Sounds of Summer Concert Series 2012

1. Robert Eric – Central Park – 7/18/12 at 7:00pm – Admission Free
2. Rave On! Band – Chapman Park – 7/25/12 at 7:00pm – Admission Free
3. Beach Bumz – Central Park – 8/1/12 7:00pm – Admission Free

- C. The Leaf and Yard Waste Recycling scheduled for Saturday, July 21, 2012, has been cancelled due to ongoing road work on New Britain Road. The next scheduled collection date is Saturday, August 18, 2012. Doylestown Township residents can bring yard waste to our Central Park entrance located off of New Britain Road from 9 AM – Noon.

*Please check out our website for the updated Summer and Fall dates for the Leaf and Yard Waste Recycling program.

- D. *The Five Municipalities Presentation on the Police Regionalization is scheduled for Tuesday, July 24, 2012, 7:00 pm at Lenepe Valley Middle School***

III. MINUTES APPROVAL: June 19, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello the June 19, 2012 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 4 to 1, with Ms. Manion abstaining due to her absence.

IV. CORRESPONDENCES

- A. Public Water & Sewer Advisory Committee

Mrs. Lyons announced anyone interested in attending the public meeting to discuss the proposed installation of a public sewer system along Pebble Ridge area are to contact the Administrative Offices in order to determine if a larger venue to hold the meeting is needed. Letters will also be mailed to neighboring communities. Ms. Mason added with a larger venue, the meeting will not be able to be televised.

The Board agreed to hold a public meeting to discuss the proposed installation of a public sewer system along the Pebble Ridge Woodbridge community and review the 2012 Buck County Water and Sewer Feasibility Study on Tuesday, September 25, 2012 at 7:00pm as per the request from Chairman of the Environmental Advisory Board; Ed Harvey. Mr. Colello will be unable to attend.

Mr. Garton indicated the meeting will need to be advertised in the Intelligencer and appropriate residents notified.

- B. Fencing on Windy Way Lane

Ms. Mason reported the township is in receipt of two letters from residents along Windey Way Lane and Hidden Lane requesting action taken from the Township to repair or replace an existing fence on Windy Way Lane with additional improvements. The fence was installed by a previous homeowner approximately forty years ago. A letter is also in receipt from resident; Timothy McCann of 9 Hidden Lane offering to cover the costs to replace the fence. Ms. Mason continued upon a previous road inspection, Mr. John evaluated the area and recommended the Board decline the request to replace/repair the fence. Ms. Mason recommends the township offer only removal of debris around the fence and create a small berm with evergreen trees along the right of way for use as a barrier to block vehicle traffic.

Mrs. Lyons questioned if the request is to replace a fence and/or build a berm along the right of way. Ms. Mason answered; the township only recommends a berm be placed along the right of way as a barrier. However, Mr. McCann offered to replace the existing fence. Mrs. Lyons requested Mr. McCann clarify.

Mr. McCann clarified replacement of the fence is a joint effort from the residents of Hidden Lane with no need for a berm. He reported the residents from Windey Way Lane agreed to have a fence installed, but wanted the township to pay for the cost. The residents of Hidden Lane obtained two quotes from fencing companies, so that the Township would not have to incur any expense.

Mr. Scarborough questioned if the residents of Hidden Lane prefer to have a new fence instead of a berm. Mr. McCann answered; yes, the residents of Hidden Lane would prefer a fence and not a berm.

Mr. Touhill questioned if the new fence will be in similar design to the old one. Mr. McCann answered; the new fence will be in similar design to the old six foot stockade fence at 144 feet. The only difference in design is the frame work will face Hidden Lane, instead of Windey Way Lane.

Resident; Allan F. Mohr of 4 Windey Way Lane reported the residents of Windey Way Lane believe the township should pay for the fence. Mrs. Lyons questioned if the fence is located on the right of way or did it fall on township property. Mr. Mohr answered; the fence was installed on township property. Mr. Mohr commented on several concerns, such as liability with motorized traffic utilizing the opening created by the falling fence and fire hazard with a huge amount of debris located around the area. Also, the residents would like to have a foot passage for the children to use down to Hidden Lane. However, Mr. McCann provision to pay for a new fence will not allow foot traffic. Mrs. Lyons offered Mr. John have his department clean up the debris. Mr. John agreed. Ms. Mason commended Mr. McCann on his offer to assist in cleaning up the debris located on a property owned by an elderly resident.

Resident: Mr. McCann responded to the comments made by Mr. Mohr by stating upon a discussion with a resident on Windey Way last weekend, the neighbors along Hidden Lane agreed to pay 2/3 of the cost of a new fence and asked the residents of Windey Way to pay for 1/3. The request was unanimously rejected because they feel the township should cover the costs. Upon the rejection the residents of Hidden Lane agreed to pay for 100% of the cost. Mr. McCann is not in favor of creating a foot passage for three reasons. First; one resident uses the existing passage way to drive their four wheel utility vehicle. Second; the ground along the passage way is uneven and is in need of a lot of work to even out. Lastly; due to the recent surge in burglaries in the area, having one road for egress is safer. Mr. McCann concluded by stating the continuous fence will not prohibited the children in enjoying the nearby creek, it will just prohibited them from going through the fenced area.

Resident: James Durkin of 3 Windey Way Lane is in favor of having a passage way to provide a wonderful walking trail through the neighborhood instead of having to walk out on to Limekiln Road. He then suggested to instead have an offset between two fence lines to create an opening. Mr. Durkin then questioned why can't the fence be installed to eliminated the frame work on each side for esthetics. Mrs. Lyons responded; the idea can be accomplished if the residents of Windey Way agree to pay for their side.

Mrs. Lyons suggested the residents of the neighboring communities meet and amicably come to a resolution on how the fence will be paid for and installed. Mr. Touhill added if a resolution cannot be resolved the residents are welcomed to return and meet with the township to install the berm. Mr. Garton informed the public the township has no responsibility in replacing the fence or creating a berm for a barrier. The only responsibility of the township is to clean up the debris.

The Board agreed by consensus to have the residents of Hidden Lane pay for the replacement of a new fence along the property of Hidden Lane and Windey Way Lane. The Board also agreed to have the Public Works Department assist Mr. McCann in cleaning up the debris along a nearby privately owned property with possibly the help of boy scouts.

V. REPORTS

A. Solicitor
No Report

B. Police Chief

Upon reviewing the power-point slides of the June 8, 2012 Potential Police Department Regionalization

presentation given by the PA Dept. Of Community and Economic Developmet to the Steering Committee, Chief Logan noted several key points such as ...

- 1) Two boroughs and three township will be participating in the research committee.
- 2) The proposed Patrol Unit will operate out of Plumstead Township Police Department Administrative Unit out of the Doylestown Township Building.
- 3) There are nine proposed patrol zones in the five municipalities to include; Plumstead Township, New Britain Township, Doylestown Township and New Britain and Doylestown Boroughs.
- 4) The proposed Organizational Chart is comprised of 66 sworn police officers, with one Police Chief, Captains, Lieutenants, 4 patrol squads and administrative staff to include Detectives. The Police Chief will have the final decision on how the chart is devised.

Chief Logan reported the township will have the establishment of four operational police departments, which is not necessarily 100% accurate. The only section to be organized is the auxiliary services, which will make up an extra squad for traffic details at special functions and for patrol shortages. This will reduce the number of police officers currently in all five municipalities from 68 to 66. Doylestown Township already reduced their staff based upon the last police contract at 20 police officers. However, Chief Logan would prefer 21.

- 5) Full time Detective personnel will be increased to six. Doylestown will stay at status at no change.
- 6) A rental will be provided to assist in saving costs. However, Plumstead and New Britain Townships will also receive a rental, where this will leave three police departments with vacant buildings that can be rented out to private civilians for a cost savings.

Chief Logan commented on the decreased in the overall combined police budget at approximately \$1 million. This is yet to be determined, because the current demographics has Doylestown Township with the highest population, housing units and amount of full-time officers. This will cause Doylestown Township to have the highest percentage of responsibility at 29.6% for the entire budget for all five municipalities.

- 7) The proposed staffing levels of the entire police department, including civilian staff is at 75. Doylestown is right where they need to be when it comes to comparison for contract negotiations with departments, such as Upper Marion.

In the 2012 the Doylestown Township Budget reported \$3,990,000 for the Police Department Budget. This figure will not be accurate once the township operates at full staff with 21 officers. The budget will actually be \$3,150,000 with a greater savings for the township. With the proposed merged police department to include all five municipalities, the 2012 budget will be \$10 million. Chief Logan calculated the budget at \$11.2 million. The difference being an estimate of 86% is based upon budgeted personnel costs. A police contract will need to be negotiated, because with the proposed 86% budget. Chief Logan cannot determine the budget with this percentage. Only 14% of the budgeted non-personnel costs will be simple to determine for items such as, police cars, rent and office supplies. The \$1 million difference in budget amounts also shows a difference in salary for top ranking officers. He doesn't believe a merger can go through without negotiating out of the police contract.

- 8) There is no reason to believe a merged police department will not be eligible to receive a live scan machine to generate revenue for the township who will receive \$120.00 for each individual booked through the system.

- 9) A grant will be issued for the Police Chief salary.

Chief Logan concluded by stating the July 24th Public meeting is a good opportunity for the public to view the report and recommends the Board consider negotiating the police department contracts prior to the merger for cost effective purposes.

Mr. Scarborough questioned if the report shows criminal activity between each township. Chief Logan responded; Doylestown Borough has reported an increase of population on a daily basis because of the court house.

Chief Logan then presented two additional recommendations. First; the Board consider not decreasing the proposed amount of 66 officers, because it will risk the amount of auxiliary officers and potentially services to the township. Second; the Board should also consider renegotiation retirement pension contracts to save money. Mr. Garton added strength of the various pension plans are unknown. Once the merger is complete, the money will also merge and produce a whole new set of criteria to determine whether the township is underfunded.

Mr. Touhill questioned if the projection of the township's cost will show a large increase in population. Chief Logan answered; a memorandum will be presented at a later date that will show a population adjustment within the five municipalities during a certain amount of time.

Resident: Lee Schwarz questioned if a savings will show once the police department receives proposed radios. Chief Logan answered; there will not be much of a savings because not every police officer will receive a radio and will be included as part of the 14% non-personnel portion of the budget. Mrs. Lyons added based upon the numbers received from the DCEP, Doylestown Township will have approximately \$100,000 in savings for the first year. Chief Logan doesn't believe it's a realistic figure because of labor costs being more than projected. Overall, Doylestown Township will over a long period of time see a savings. If the merger goes through, the township will see a large turnover in administrative staffing and have costs. But, there is no way to calculate the costs. However, the township will receive an increase in specialized police services with the joining five municipalities.

C. Township Engineer

No Report

D. Manager

ChemFab Superfund Site

Ms. Mason reported at the recent Doylestown Borough July 10, 2012 meeting the Environmental Protection Agency (EPA) hosted a ChemFab Superfund site. The program is moving forward and currently in the comment period proceedings. The EPA recommends a soil removal as a remedial action to assist in reducing the amount of pollutants that is seeping into the ground water towards Crooks Creek. Ms. Mason will provide more information as it's received.

DART Bus

Ms. Mason also attended the July 10, 2012 DART Bus meeting in Doylestown Borough where she learned Senator McIlhinney's office, Penn Dot and SEPTA will be providing funding towards a two DART bus service beginning next year. There is also going to be a special bus that will begin it's run from September 15th through October of 2012. The special bus named the Cultural Loop Bus and will run Saturday from 11:00am until 9:00pm and Sunday from 11:00am until 6:00pm for tourists and visitors to the Doylestown area.

E. Supervisors

Mr. Touhill reported he attended the July 4th event at Central Park and thanked the township staff and Park and Recreation department for a great event and job well done.

Mr. Scarborough reported Governor Thomas Corbett recently signed into legislation a bill to have the Route 202 Parkway become a scenic byway. This will prohibit the installation of billboards or advertisement signs from Doylestown to Montgomeryville townships.

Ms. Manion commented on the wonderful passion displayed by township's Boards and Commissions. During her recent meetings with the Traffic Advisory Board, she was amazed with the wonderful ideas and vested interest each volunteer has in making the roads safer. She also congratulated the two candidates who submitted their applications for the alternate position with the Environmental Advisory Committee.

Mr. Colello commented on how encouraging it is to see residents attend the various Boards and Commission meetings. He then welcomed any residents interested to attend any of the meetings.

Mrs. Lyons reported the Board are invited by the Thompson Organization to attend the Bucks County Classic Bike Event on Saturday, September 15, 2012 and Sunday, September 16, 2012. The Board is also invited to participate at the VIP Tent on Sunday from 12:00pm to 3:00pm.

Mrs. Lyons also attended the Delaware Valley College Ribbon Cutting Ceremony for their new parking lot. She thanked Mr. John for his contribution and idea to have dirt deposited into a parking lot along Central Park from the Route 202 Parkway's construction. Mr. John was able to have Penn Dot assist in saving the Environmental Effective Act by not disposing of the dirt and unnecessary wear to the township roads. As a result, Doylestown Township was able to negotiate a \$700,000 playing field that JD Morrissey and Penn Dot constructed at no cost to the township. To assist, Delaware Valley College agreed to negotiate out of their lease for a portion of land for the playing field where their parking lot was created. This was a wonderful example of cooperation and a community working together.

VI. UNFINISHED BUSINESS

None

VII. NEW BUSINESS

A. Land Development

1. Delaware Valley College Life Science Building

Mr. Garton reported applicants; Delaware Valley College are proposing a land development plan to construct a two story Life Science Building with a total square footage of 40,000. The frontage will be located on East Butler Avenue and New Britain Road located with the institutional zoning district. The June 4, 2012 plans were prepared by Gilmore and Associates with a revised plan dated July 3, 2012. The Doylestown Township Planning Commission has recommended Land Development approval.

Mr. Thomas Hanna of Gilmore and Associates provided rendering for the Board's review.

On behalf of the applicants; Delaware Valley College, Mr. Hanna agreed to comply with the provisions prior to Land Development Plan approval by the Doylestown Township Board of Supervisors as set forth by Township Solicitor; Jeffrey P. Garton...

1. Compliance with the decision of the Doylestown Township Zoning Hearing Board with respect to the front yard setback variance granted by the Board;
2. Compliance with the Boucher & James report dated July 11, 2012;

3. Compliance with the Pickering, Corts & Summerson, Inc. Report dated July 10, 2012;
4. Compliance with the Pennoni Associates, Inc. Report dated June 19, 2012;
5. Compliance with the June 19, 2012 memorandum received from the Doylestown Township Fire Marshal and Code Enforcement Director;
6. Applicant shall complete a tree survey limited to the area proposed to be developed as part of the above-referenced project;
7. Applicant to install, at its sole cost and expense, a bike and hike trail parallel to Route 202 behind the Applicant's existing white fence. Most of the trail will be located in Doylestown Township, but the College shall install the bike path through New Britain Borough with a concurrence of New Britain Borough. The location of the proposed trail is noted on the plans and the trail shall be between eight (8) and ten (10) feet wide based on a field analysis at the time of the construction of the trail. The other criteria of the trail is set forth in a letter received from Michael Baker, Jr., Inc. Dated June 29, 2012. It is understood that the location of bollards in the general vicinity of the trail shall be subject to the mutual agreement of the Township and the Applicant. The trail shall be incorporated into a non-exclusive easement granted by the College to the Township;
8. The applicants have requested the following waivers be granted.
 - (a). From the provisions of Section 153-20.C.(1), so as to relieve the Applicant of the obligation to do a topographical survey of the entire property with the understanding Applicant will do the topographical survey of the area proposed for the new building;
 - (b). From the provisions of Section 153-20.E, so as to not be required to conduct a traffic impact study;
 - (c). From the provisions of Section 153-24.B(2)(a), the Applicant shall not be required to do frontage improvements along East Butler Avenue nor New Britain Road;
 - (d). From the provisions of Section 153-26A/(3), the Applicant should not be required to install curbing along East Butler Avenue and New Britain Road;
 - (e). From the provisions of Section 153-34.B(3)(a), so as to permit Applicant to plant street trees in intervals different than the required forty (40) feet.
9. Applicant to install nine (9) trees to replace the trees that will be affected by the construction with the location for the installation of the trees to be approved by the Township Planner;
10. Final lighting design will be subject to the approval of the Township Engineer and Township Planner in consultation with the Township
11. Receipt of all permits and approval from any agencies having jurisdiction over such matters, including, but not limited to, the Pennsylvania Department of Transportation, Bucks County Conservation District and utility providers;

12. Applicant shall secure and demonstrate proof of the execution of Sanitary Sewer and Water Service Agreements with the appropriate utility provider.
13. Funding and execution of development and financial security agreements in a form satisfactory to the Township;
14. No signage shall be installed until such time as appropriate permits are received from the Township and any signage shall comply with the Township's sign ordinance;
15. Plans shall be revised to show the boundary line between New Britain Borough and Doylestown Township at locations mutually agreed upon by the Applicant and the Township Engineer;
16. The building shall be ADA compliant;
17. The Applicant is encouraged to work with New Britain Borough with respect to the possible extension of the trail system from its terminus based on this project to the intersection of Route 202 and Shady Retreat Road; and
18. The Township will accept the offer of dedication of the additional right-of-way along New Britain Road.

Mr. Hanna informed the Board an extension to the bike path along the frontage of Route 202 with a boundary for Doylestown Township is shown on the plan. A discussion with Michael Baker is needed to determine the final location to prevent vehicle traffic onto the path with the exception of college maintenance vehicles. Mr. Garton suggested revising the provisions by mentioning the issue with the bollards be accepted upon a mutually agreement between the township and college. Mr. Hanna agreed.

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approved applicants; Delaware Valley College submission of Final Land Development Plan to construct a Life Science Building as per conditions set forth by Township Solicitor; Jeffrey P. Garton.

Mrs. Lyons asked Mr. Colello for his comments regarding the plans as Liaison to the Planning Commission. Mr. Colello stated he was excited about two items. First; the trail system will be helpful for everyone involved, including students and residents. Second; with the building constructed so that an open view of the lobby is seen from the second floor preserves a monument to the college. Mr. Hanna added the rendering designed by HD Wells positioned the building so that the college's old storage gate and site lines from the intersection of Route 202 and New Britain Road toward the quad area is preserved.

MOTION was ADOPTED 5 to 0.

B. Plan Review Extension

Mr. Garton reported Attorney for York and Swamp Associates; David M. Shafkowitz requested a third 90 Day extension to revised a previously submitted Land Development Plan until October 20, 2012. Mr. Garton recommends the Board decline a forth extension request if plan revision progress are not made by the applicants. The property is currently on the Sheriff and Tax Sale list.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors grant applicants; York and Swamp Associates a 90 Day extension to present a revised Land Development Plan by October 20, 2012.

A resident questioned if the property is sold prior to the expiration date of October 20th will the current

plans be approved. Mr. Garton responded; probably not, because the lender is taking back the property. Unless there is a separate transaction involving the formal owner, it's not likely a buyer will sign off on the rights.

MOTION was ADOPTED 5 to 0.

1. York and Swamp Associates

C. Fee Schedule Amendment

Mr. Scarborough made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors amend the 2012 Fee Schedule to include Amendment 1637 for items needed for clarification in terms of escrow for land development plan process, code enforcement and one additional fee for the Solicitor's permit from the Police Department.

MOTION was ADOPTED 5 to 0.

D. Destination Peace Valley

Mr. Touhill made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the June 19, 2012 Pine Run Reservoir Trail Easement Proposal as submitted by Chris Stanford, P.E of Michael Baker, Jr., Inc for professional services towards Phase Two as per the recommendations of the Bike and Hike Committee.

MOTION was ADOPTED 5 to 0.

E. Records Retention and Disposal

Mr. Scarborough made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors authorize the intent to follow schedules and procedures for disposition of township's Financial and Purchasing Records and Payroll Records as per Resolution No. 1626, adopted May 1, 2012 and set forth in the Municipal Records Manual approved on December 16, 2008 and updated on July 23, 2009.

MOTION was ADOPTED 5 to 0.

F. Treasurers Report – July 17, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello The Doylestown Township Board of Supervisors approve the July 17, 2012 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

G. Bills List – July 3, 2012

Mr. Scarborough made a MOTION; seconded by Mr. Colello The Doylestown Township Board of Supervisors approve the July 3, 2012 Bill's List in the amount of \$53,423.59 and July 17, 2012 Bill's List in the amount of \$96,010.63.

MOTION was ADOPTED 5 to 0.

VIII. ANNOUNCEMENTS

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B. Sounds of Summer Concert Series 2012

1. Robert Eric – Central Park – 7/18/12 at 7:00pm – Admission Free
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- C. The Leaf and Yard Waste Recycling scheduled for Saturday, July 21, 2012, has been cancelled due to ongoing New Britain Road work. The next scheduled collection date is Saturday, August 18, 2012. Doylestown Township residents can bring yard waste to our Central Park entrance located off of New Britain Road from 9 AM – Noon.

*Please check out our website for the updated Summer and Fall dates for the Leaf and Yard Waste Recycling program.

IX. ADJOURNMENT

8:25 p.m.

Respectfully submitted by,

Stephanie J. Mason, Secretary