



# Board of Supervisors

## Regular Meeting

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

~ Minutes ~

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Tuesday, October 4, 2016

4:00 PM

Public Meeting Room

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### I. 4:00 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, Shawn Touhill and Ryan Manion.

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

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

A. Pledge to the flag

B. Visitors/Public Comments

The Board met in Executive Session, prior to the meeting to discuss matters concerning the Hammerstein litigation. Township Solicitor; Jeffrey P. Garton will provide more details later in the agenda regarding the stipulation agreement.

Public Comments: None

### II. ANNOUNCEMENTS

The first Fall Movie in the Park event is scheduled for October 29th in celebration of Halloween. The scheduled movie is Hotel Transylvania and will begin at dusk. All information will be posted on [www.doylestownrec.org](http://www.doylestownrec.org)

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, October 18, 2016 at 7:00PM.

B. The Doylestown Township Board of Supervisors along with the Ways and Means Committee will hold a Budget Work Session at 5:00 PM this evening. Public is welcomed to attend.

C. The Board of Supervisors will hold an additional Budget Work Session on Tuesday, October 18, 2016 at 4:00 PM at the Municipal Building. Public is welcome to attend.

D. The Doylestown Township Administration Offices will be closed on Monday, October 10, 2016 in observance of Columbus Day.

- E. BCATO Education Series: Tackling the County's Opioid Crisis – October 12, 2016, 7:00 PM – 8:30 PM at Doylestown Twp. Administration Building  
Narcan training will be conducted for residents. Mrs. Lyons announced Narcan will be provided to residents after completion of the training session.
- F. Sensory Trail Dedication/Ribbon Cutting – Thursday, October 13th from 4:00 PM – 5:00 PM in Central Park
- G. Howl-O-Ween – October 22, 2016, at Central Park from 10:00 AM – 1:00PM. If you'd like to participate please contact our office or email us at
- H. CB Cares – 2016 Pumpkinfest – Saturday, October 22nd at the Moravian Tile Works, gate open at 2:00PM
- I. EAC Fall Speaker Series “Restoring Nature’s Relationships” –Doug Tallamy – October 27th at 6:00 pm at Delaware Valley University. Cost \$10 per person, Delaware Valley University students free w/ ID. Tickets are available at the Township Building or at the door.
- J. Doylestown Township Leaf and Yard Waste Recycling – The Drop Off Site is open every third Saturday of the month, March-December, 9 AM – 11 AM. Location: New Britain Road access to the back part of CENTRAL PARK

**III. MINUTES APPROVAL: Regular Meeting - September 20, 2016**

Mr. Snyder made a MOTION; seconded by Ms. Manion the September 20, 2016 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 4 to 1 with Mr. Touhill abstaining due to his absence.

Ms. Manion made a MOTION; seconded by Mr. Snyder the September 20, 2016 Doylestown Township Budget Work Session meeting minutes be approved with the following amendment, as noted by Mr. Colello.

The minutes to show Mr. Touhill was not present at the meeting.

MOTION was ADOPTED 4 to 1 with Mr. Touhill abstaining due to his absence.

**IV. CORRESPONDENCES****V. REPORTS**

- A. Solicitor  
No Report
- B. Police Chief

Mrs. Lyons congratulated the Doylestown Township Police Department on a job well done during the Travis Manion 5K Race event. She commended the department on their continued commitment to be a visual part of the community and user friendly.

C. Township Engineer

No Report

D. Manager

1. Director of Operations Appointment

Ms. Mason reported; upon current Doylestown Township Director of Operations; Richard John's retirement scheduled for March 21, 2107, the township underwent an interview process to fill the position. Twelve submissions were received and six candidates interviewed. Of the six, two candidates were considered and presented to the Board. At the conclusion of the interview process, it was determined Mr. Dave Tomko qualifications are the best fit for the Township.

Mr. Tomko is a graduate of Temple University with a Bachelor of Science degree in Civil Engineering Construction Technology. His work experience includes, fourteen years with Pennoni & Associates, over 20 years of municipal design, served as President in Partnership with the Transportation Management Association (TMA) and his very involved with his local church.

All conditions of employment for the Director position have been met as set forth in Mr. Garton's letter of September 23, 2016.

Upon Ms. Mason's recommendation, Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors hire Mr. Dave Tomko as Director of Operations for Doylestown Township effective October 31, 2016 and in accordance with Doylestown Township Non-Uniform Personnel manual.

MOTION CARRIED 5 to 0.

2. Vacancies on Boards and Committees for 2017

Ms. Mason reported; in 2017, twelve (12) Boards and Commissions vacancies will be available and requested to add vacancies for the 200th Doylestown Township Anniversary Committee. Additionally, she asked for Board direction to have Mr. Garton prepare a resolution to create a committee, as well as a decision as to whether current committee members will serve or to solicit new members. Ms. Mason then requested consideration to move forward with advertisement of vacancies at the end of 2016.

Mrs. Lyons recommended the 200th Anniversary committee have nine (9) members with the addition of a Board Liaison.

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors authorize advertisement of twelve (12) Boards and Commission vacancies to be scheduled in December of 2016. Further, the Board approved advertisement for vacancies of the newly created 200th Doylestown Township Anniversary Committee be included.

MOTION CARRIED 5 to 0.

3. Pension Ordinance Amendment/Defined Contribution- Request Authorization to Advertise

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors authorize advertisement of the Amendments to the Non-Uniform Defined Contribution Plan Ordinance #368.

MOTION was ADOPTED 5 to 0.

4. Pond at Sauerman Park – Princeton Hydro Report

Ms. Mason referenced Princeton Hydro's September 30, 2016 letter of evaluation for the Sauerman Park Pond. Many years ago, it was recommended the pond should be allowed to grow in with the assistance of Delaware Valley University. However, Princeton Hydro suggested in order to revive the pond for a more wetland appearance. Along with Mr. John, Ms. Mason recommended the matter be forwarded to the Park and Recreation Board and Environmental Advisory Board (EAC) for further evaluation. Ms. Mason then noted; the project may qualify for grants and can be allocated into the Doylestown Township budget in 2018.

Mr. Colello questioned; if work can only be completed in the spring and not the winter. Mr. John answered; it's unsure when the grant application is due. Ms. Mason added; the application process may not be able to begin until the Spring.

Mr. Snyder commented with the current state of the pond, it may be harmful to animals and a danger to children. He stated; waiting until 2018 may not be the answer and have the EAC consider mitigating possibilities.

The Doylestown Township Board of Supervisors agreed by consensus to have the Park and Recreation Board and Environmental Advisory Board take the lead on the Sauerman Park Pond clean-up project to provide mitigation options.

E. Supervisors

Ms. Manion reported over 3,500 runners participated in the Travis Manion Foundation 5k Race at Font Hill Park. With spectators, a total of 5,000 people attended the event. Ms. Manion thanked the Doylestown Township Police Department on a job well done.

The Doylestown Township Facebook Page notes a police officer providing a resident with a new pumpkin that was destroyed.

Mr. Touhill thanked everyone for their condolences during the passing of two family members.

Mr. Snyder reported a series of Budget Work Sessions scheduled throughout the year. He encouraged anyone interested to attend. It's important to understand and hear the level of work that goes into the budget preparation process, which has changed in the last two years.

Mr. Colello responded to a resident letter indicating no actions were made against Supervisor; Shawn Touhill's zoning, environmental issues and other violations. Mr. Colello clarified; the issues have been addressed and currently working with Mr. Touhill towards a resolution. Although the progress is not at a point hoped, where updates are yet to be received.

Another comment made in the resident's letter Mr. Colello addressed was that the Board was covering up Mr. Touhill's issues. The Board has been working on the issues, where some are ongoing. Each member of the Board has spoken to Mr. Touhill with nebulous responses. The Board works very hard to keep their integrity and the implications of a cover up is hurtful.

Mr. Colello commented; Mr. Touhill's actions of pushing the legal boundary damages the integrity of the Board. Some of the issues include violation from the Department of Environmental Protection (DEP) and a visit from the SPCA as a result of the resident's complaints. He then stated the Board must treat Mr. Touhill as a resident and not in a higher standard due to his position. As per Mr. Colello's request, Mr. Garton clarified; he advised Ms. Mason and Director of Code Enforcement; Mr. Salisbury Sinclair Mr. Touhill should be treated no better or worse than a resident of the township. There is no special treatment provided.

Mrs. Lyons clarified; the issue addressed is concerning the property located at 925 Sandy Ridge Road. Ms. Mason added; the site has been visited on a number of occasions, where a number of violations were pointed out and addressed. To date, Mr. Touhill has been cooperative. However, additional issues have arisen. Ms. Mason has also reached out to the resident who submitted the initial complaint and will be meeting in the near future to provide a status report.

Ms. Manion commented on her agreement with Mr. Colello's report. She added; Mr. Touhill should be placed in a higher standard due to his position as a Supervisor. With being an elected official, there are certain responsibilities a Supervisor should uphold.

Mrs. Lyons reported; the issues discussed are not the first time Mr. Touhill was informed. As a professional developer, he is well aware of the rules and was directed once to clear the concerns. Upon recent information, there are several issues unresolved where some of the violations are dated in March and May of 2016. In addition, Mr. Touhill has not kept the Board informed of the status. Mrs. Lyons agreed with Ms. Manion's comments, Supervisor should be held in a higher standard and Mr. Touhill should know better. She then requested Mr. Touhill address all issues immediately and not place the Board in a position to publicly disclose the entire situation.

Additionally, there is a residence on Chapman Road of concern, where Mr. Touhill informed is owned by his parents. The property is questioned to have two illegal rentals, where the Zoning department was denied access to examine.

Mr. Snyder agreed with all Board comments and indicated Mr. Touhill is aware of the situation and hopefully will have remedied immediately. Discussions were conducted several times and it's unfortunately, the topic has to be shared with the public.

Mr. Touhill responded by recommending to anyone who is interested to view the facts of the case to receive answers. The Township has been very professional by completing their job and treating him no different than a resident. Mr. Touhill addressed one statement by clarifying; the property on Chapman Road does not house illegal rentals. Mr. Salisbury has inspected the property to confirm there are no violations.

Mrs. Lyons reported on her recent meeting with the Village Improvement Association, where Chief Operating Officer of Doylestown Hospital; Jim Brexler stated Becker's Hospital Review has designated the hospital in the top 100 for heart institutes. A second expansion is scheduled

and they will be meeting with the Township staff for plan discussions. Mrs. Lyon concluded by congratulating Doylestown Hospital.

#### **VI. PUBLIC HEARING - Proposed Amendment to Floodplain Ordinance**

Mr. Garton reported; the Board previously adopted a flood plain ordinance as a result of the efforts from Federal Emergency Management Agency (FEMA) and Pennsylvania Emergency Management Agency (PEMA) to adopt new flood plain regulations. Once the Township adopted the regulations, it's required make a adjustment to the existing ordinance to reflect a new flood plain ordinance was adopted. The Proposed Amendment to the Floodplain Ordinance was prepared by Township Planning Consultant; Judy Stern Goldstein, reviewed by the Doylestown Township Planning Commission and advertisement authorized in both the Intelligencer and the Bucks County Law Library.

Mr. Garton referenced the September 7, 2016 Bucks County Planning Commission letter noting minor edifications to include a letter missing from a word and two letters transposed in another section. Any motion to approve the adoption will be subject to the corrections. Mr. Garton opened the floor to Township Planning Consultant; Judy Stern Goldstein.

Ms. Stern Goldstein reported; the site capacity calculation Section 175-27 is part of the zoning ordinance to determine the net buildable site area and the amount of impervious surface the developer is allowed to place on a piece of land. Currently the ordinance notes as 100% protection calculations. However, the amendment records 95% protection due to a separate flood plan ordinance, which states there are certain items that can be accomplished with permits. To keep the protection at 100%, relief from the flood plain ordinance and then relief from the zoning ordinance for something that is already permitted to do. During a clean up of the inconsistency and the spirit of commonwealth, permitting land owners the right of their property who follow the regulations will be appropriate.

Upon Board approval of the Proposed Amendment to the Floodplain Ordinance, Mr. Garton indicated it will submit to editorial comments as noted as Item#2 under the Bucks County Planning Commission letter of September 7, 2016.

Hearing no public comments, Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Proposed Amendments to the Floodplain Ordinance subject to the editorial remarks noted in the September 7, 2016 Bucks County Planning Commission letter under Item #2.

MOTION was ADOPTED 5 to 0.

#### **VII. UNFINISHED BUSINESS - Hammerstein – Discussion on Draft Stipulation**

Mr. Garton reported; in 2014, parties submitted an application with the Zoning Hearing Board seeking certain variances so the Hammerstein site located off East Road could be utilized as a museum, theater and other uses. Upon a number of hearings and meetings, the Zoning Hearing Board denied the application on June 29, 2015. Following the denial, the property owners filed an appeal with the Court of Common Pleas of Bucks County. Mr. Garton noted for the record; parties to the proceeding in front of the Zoning Hearing Board and the parties to the proceedings in front of the Court of Common Pleas of Bucks County are identified as Doylestown Country Club and Mr.& Mrs. Malloy. Following the appeal, all parties involved engaged in

approximately six months of discussions regarding the entire application, use of the property and the lot.

In the Spring of 2016, John A. VanLuvanee, Esquire of Eastburn & Gray, P.C. addressed the Board to discuss what the parties had proposed by way of a resolution. A draft of the agreement was shared with the Supervisors by Mr. Garton as a stipulation plan.

Upon Board approval, Township Solicitor; Jeffrey P. Garton set forth the following conditions proposed in the stipulation agreement prior to becoming a court order and the implications are clear.

*1) The property will be developed in accordance to the plan date August 17, 2015, last revised November 23, 2015. Except noted on the stipulation, it will be developed in accordance with all Federal, State and Municipal Ordinances, including the Zoning Ordinance Subdivision Land Ordinance, Stormwater Ordinance and alike.*

*2) The parties will agree the property may be used for a museum, The museum is not a permitted use. However, the stipulation will permit the property to be used as a museum.*

*3) There will be no theater. The existing barn will be expanded in a minor way to that portion of the barn that was pre-existing, so the appearance of the barn will be substantially in accordance with its look during its utilization by the Hammerstein Family. In addition, the stipulation will require the open space, impervious surface and all area requirements shall be consistent with the Zoning Ordinance as identifying as all other uses. The areas of the property other than the impervious surface, detention basin and wooded area shall be maintained as lawn. Unless noted otherwise, the development will be consistent with the lot area and dimensional requirements set forth in Section 175-39(B) and all of the uses.*

*4) Thirty five (35) parking spaces will be provided on site for the library and museum. Valet parking will be utilized in the event of special events or occasions when parking on-site exceed the available number of spaces. No parking will be permitted on East Road or other adjoining roads within the vicinity of the property. If the parking lot is insufficient to park the persons seeking parking on the property, an alternative off-site parking will be provided. The south end of the parking lot shall be screened from park and head lights of cars parked in the lot by four to five foot hedge in accordance with the plan. The house and barn will be used for the same principal use of a museum and a library as one principal use. It will be used for a museum.*

*5) No variances will be required with respect to any setbacks due to pre-existing structures. The prior variance granted to Mr. Shawn Touhill in 2006 will be withdrawn and no longer will have any effect and the prior approve subdivision plan will no longer have any effect.*

*6) The impervious surface previously granted as part of the Zoning Hearing Board application was 26.8%. The impervious surface for the project will be reduced to 24%. However, the parties acknowledge during the actual design process, slight tweaking may be applied. Prior to any amendments, Board approval will be required. In addition, the applicant will comply with the Subdivision Land Development Ordinance not contrary to what is noted in the stipulation.*

*7) Applicants will provide a paved shoulder along the front of the property along the West side of East Road and widen the driveway to accommodate the turning lane of the driveway. No other road improvements will be required.*

8) *An analysis will be prepared of the traffic impact made in occasion by museum attendants and attendance of special events.*

9) *The following design criteria will be incorporated...*

*A) A landscape buffer along the boundary line between the property and Doylestown Country Club. The berm will be no less than three (3) and five (5) feet in height. The maximum slope of the berm will be three (3) feet and one (1) foot. It will be located along the rear of the property and as far away as possible from the Country Club property so to maintain as much air from the Doylestown Country Club property and the stormwater basin is undisturbed. The location and the final approval of the application will be subject to the course of the land development process. The berm shall not extend along the Malloy property line and maintained by the property owner.*

*B) Best efforts will be made to maintain trees, except if they are inconsistent with the stipulation where the trees cannot be saved. All existing trees within the buffer yard, the common property line and the adjacent Malloy property line will be preserved unless they are dead or diseased.*

*C) A six foot high, beige, plastic fence will be installed along the property line along the Malloy property.*

*D) The lighting standard for the parking lot shall not exceed fifteen (15) feet in height and will comply with the Township's criteria. The lighting levels shall be less than .3 foot candles in the parking lot. All parking lot lighting shall utilize non-glare lights, focused downwards similar to those across the street from the barn complex. No lights shall produce any glare off the premises. No bare direct light sources shall be visible. No defused or reflective lights will be visible beyond the property line. The stormwater that general flows along the southeastern corner near the county line of Route 202 shall be managed in accordance of the Township's ordinance. There will be no more management discharge from now and after the development.*

*10) The Township acknowledges there is no fully engineered plan has been prepared. Should one be prepared, Township will provide with reasonable respect, relief necessary from the Subdivision Land Development Ordinance.*

*11) The plan shall be submitted within one year of the proof of stipulation by the court and the conclusion of the review of the Township. If the plan is in accordance, the Township will provide approval.*

*12) The hours of operation shall be from 9:00am until 6:00pm, seven days a week. Hours of operation will not apply to the permitted special events.*

*13) At a minimum, a gate will be provided for security from the driveway which enters the property to be locked with the museum is not open.*

*14) Eight (8), one day special events will be permitted to be held within one calendar year. Of those special events, no more than four (4) events shall be held outdoors. Special events held outside will end no later than 10:00pm. Special events indoors may end no later than 11:00pm.*

*15) The property may not be leased to a third party for special events, such as weddings.*

*16) The Malloy's shall be provided at least seven (7) days prior notice of any events.*

- 17) *Should parking occur across the street from the barn complex, the applicant shall provide parking controls, including utilization of police or fire police.*
- 18) *No theatrical productions shall occur on the property, but not preclude vocal performance for limited, special fund raising events*
- 19) *There will be no food preparation or food court along the museum. However, a snack bar with not be prohibited within the museum nor for special events.*
- 20) *Once the stipulation agreement is approve, development can begin for a prior four lot subdivision will be deemed withdrawn with no further effect. In addition, the bed and breakfast use will be discontinued once the museum opens*
- 21) *There will be a facade easement granted in the favor of the Township to protect the integrity of the exterior portion of the house and the barn. The form of the use to be acceptable to the parties and shall be recorded during the time of final land development plan.*
- 22) *The applicant shall reimburse the Township for attorney fees to date of \$43,667.00. In addition, the developer for the applicant shall agree they will not apply for exemption from real estate taxes. The developers will also agree as per the stipulation to release the Township of any liability to any series of events.*
- 23) *The parties wanted to prove and agree to submit the stipulation for approval by a judge to make sure the terms and conditions are enforced.*

On behalf of the applicants of the Hammerstein property, Mr. VanLuvanee agreed to the content of the stipulation Mr. Malloy agreed the contents of the stipulation were presented correctly by Mr. Garton.

Mrs. Lyons questioned if the Doylestown Township Country Club reviewed and agreed with the stipulation. Mr. VanLuvanee answered; on behalf of the Country Club and Mr. & Mrs. Malloy, Attorney Mr. Harrison has agreed to the stipulation.

Mrs. Lyons then noted a few corrections as on page nine (9) referring to the Barn Office Complex as the Farm Office Complex. Mr. Garton agreed to make the adjustment. The reference to parking at the Barn Office Complex should be noted as a separate understanding between the owner and the museum. Mr. VanLuvanee agreed it will not be a Township issue and not drafted.

Upon Mr. Colello's question, Mr. Touhill confirmed he will be abstaining on any votes concerning the Hammerstein application due to his relationship with the property. He then noted during the last two years of the process, he has recused himself from the proceedings. Mr. Garton clarified; there was a subdivision plan Mr. Touhill received approval on the property prior to being a supervisor, which has certain vitality. Mr. VanLuvanee added; at a recent Zoning Hearing Board meeting, agreements between the current property owner; Ms. Cole and Mr. Touhill were submitted as exhibits.

#### Public Comments:

Resident; Shelley Dunn of Townview Drive questioned if any other events are permitted to be held at the museum, such as bar mitzvahs. Mr. Garton answered; no special events other than

museum related are permitted on the property. For valet parking, where will the vehicles be parked. Mr. Garton answered; no parking will be allowed on public streets, including neighborhood streets.

Resident; Stanley Dunn of Townview Drive questioned; will the stipulation agreement change should the Malloy's sell their property. Mr. Garton answered; the stipulation agreement will become a court order. In the event the Malloy sells their property, a new application will be required. The court order is enforced prior to the Hammerstein site, so they will be precluded and the Malloy site is residential where no expansion will be allowed of the museum use on the Malloy property. Mr. Dunn questioned if a variance can be requested to combine the properties. Mr. Garton answered; the stipulation designates what happens to the Hammerstein site. To clarify Mr. Dunn's question, Mrs. Lyons questioned what will happen should the museum stop its operation. Mr. Garton answered; the application will need to comply with the zoning ordinance under permitted uses as part of the stipulation agreement. Mr. VanLuvanee added; it's very unlikely the application will stop operation.

Resident: Lisa Mergen of Houk Road commented she is in favor of the plan, but questioned; what will be the steps taken to prevent vehicles from parking on the public streets. Mr. Garton answered; residents are encouraged to contact the township regarding parking violations and the police department will monitor the area. Should violations occur, the application will have to return to the courts. Ms. Mergen questioned; how many employees will be on the premises. Mr. VanLuvanee answered; employees have not been determined to date. For the record, Ms. Mergen commented; thirty five parking spaces will not be enough to carry the museum traffic. Mr. VanLuvanee responded; Mercer Museum rarely has thirty five vehicles parked on a daily basis.

Resident; Mr. Malloy questioned; can "no parking" signs be posted along public streets for special events. What type of buses will be entering the site. Mr. VanLuvanee answered; school buses are anticipated to utilize the museum and not for special events. Mr. Malloy questioned if East Road can be widened. Mr. VanLuvanee indicated it will be subject to review by the Township Engineer and turning templates are scheduled to be submitted. Mr. Garton responded to the no parking question by stating the matter will be monitored.

Resident; Joe Paternostro of Houk Road questioned what will be done about potential noise problems. Mr. Garton indicated the applicants will need to follow the Township's noise ordinance. Mr. Paternostro then questioned what type of special events will occur. Mr. VanLuvanee answered; special events will be limited to fund raisers to include some singing. Mr. VanLuvanee added; during recent reviews, hours for special events was requested, which was not previously included.

Resident; John Arnold of Houk Road reference a statement regarding a museum standing alone does not succeed and questioned why is a museum use suggested now. Mr. VanLuvanee responded; prior to the Township being approached with the plan, a feasibility study was completed, which had suggested it's seldom a museum can survey and recommended to receive theater approval to assist in the support of a museum. The recommendation was presented by an outside consultant who provided the safest outlet to proceed with the application, but not the only way. The current settlement is satisfactory and provides low impact to the residents compared to the four lot plan. Mrs. Lyons confirmed it was the earliest hope the plan would become a museum to assist in preserving the property. The Township will do everything possible to support the plan, such as with fund raising.

Ms. Manion commented on her support of the plan where it will be a good benefit to the Township.

Mr. Colello agreed with Ms. Manion's comments and clarified he was never against the museum and it will be an extremely great addition to Doylestown. His only concern was the plan met with the laws and ordinances.

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the Hammerstein Draft Stipulation agreement as set forth by Township Solicitor; Jeffrey P. Garton.

Mr. VanLuvanee questioned; if the motion includes the authorization to have Mr. Garton sign the Stipulation agreement.

Mr. Colello AMENDED the MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the Hammerstein Draft Stipulation agreement as set forth by Township Solicitor; Jeffrey P. Garton. Further, the Board authorizes Jeffrey P. Garton to sign the stipulation agreement on behalf of the Doylestown Township Board of Supervisors.

MOTION was ADOPTED 4 to 1 with Mr. Touhill abstaining due to his previous connection with the plan.

## VIII. NEW BUSINESS

### A. Enclave at Towns Edge – Final Land Development

Mr. Garton reported; applicants for the Towns Edge site are requesting approval for final land development as tax parcel 9-9-58. Applicant proposes to remove the existing residential dwelling, convert the existing barn to a recreational structure and construct twelve (12) two story residential condominiums with garages located at the basement level of each individual units. The plans were prepared by Gilmore & Associates dated May 30, 2014, last revised June 22, 2016. The Doylestown Township Planning Commission reviewed and recommended approval at their August 22, 2016 meeting.

Prior to Board approval, Township Solicitor Jeffrey P. Garton set forth the following conditions ...

*1) Continued compliance with the conditions of preliminary land development approval with the extent of non-resolved*

*2) Compliance with the Bucks County Planning Commission review letter dated August 12, 2016.*

*3) Compliance with the Pickering, Corts and Summerson's review letter dated August 4, 2016, including obligation to record a declaration covernence restriction to the project with respect to the trees noted in Paragraph 4 and 5 of the letter.*

*4) Compliance with Boucher & James, Inc review letter dated August 3, 2016.*

*5) Compliance with Pennoni & Associates report dated June 20, 2016.*

6) *Compliance with Michael Baker report of August 12, 2016. Deferred to preliminary final with a mid lock pedestrian cross walk, but based on the comments from Penn Dot that cannot be installed.*

7) *Finding an executed development security agreement in a form satisfactory by Doylestown Township Solicitor; Jeffrey P. Garton*

8) *Receipt of permits of improvements with agencies having jurisdiction including Penn Dot and Bucks County Conservation District.*

Applicant; Robert Zaveta of Zaveta Custom Homes agreed to the conditions.

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approved applicants: Zaveta Custom Homes Final Land Development Plan regarding Enclave at Towns Edge.

MOTION was ADOPTED 5 to 0.

B. Bucks County 2016 Hazard Mitigation Plan – Municipal Adoption Resolution

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown. Township Board of Supervisors adopt the Municipal Adoption Resolution with regards to the Bucks County 2016 Hazard Mitigation Plan as participated by Stephanie Mason and Director of Code Enforcement; Sinclair Salisbury.

MOTION was ADOPTED 5 to 0.

C. Public Sewer – Request to Hook-up - 264 Iron Hill Road

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown. Township Board of Supervisors approve Danny Parks and Kristen Bierly of 264 Iron Hill Road request for an emergency public sewer connection from the Harvey Avenue Water Treatment Plant due to a failed load test and as per a recommendation by the Bucks County Health Department.

MOTION was ADOPTED 5 to 0.

D. Bids

1. 2016/2017 Rental of Snow Removal Equipment w/ Operator Bid

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown. Township Board of Supervisors award the Rental of Snow Removal Equipment with Operator bid during the 2016/2017 snow season beginning November 30, 2016 through April 15, 2017 to the following contractors...

B&E Karts, LLC of Revere, PA at the rate of	\$110.00 per hour
Little Digger Excavating & Hardscape of Pennsburg, PA at the rate of	\$110.00 per hour
Puppy Dog Landscape Corporation of Sellersville, PA at the rate of	\$169.60 per hour

Mr. Snyder questioned if the bid is awarded to the same contractors each year. Mr. John indicated yes, where some contractors have worked with the Township for approximately ten years.

MOTION was ADOPTED 5 to 0.

2. Tree Pruning and Takedown Bid

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown. Township Board of Supervisors award the 2016 Tree Pruning and/or Takedown of Trees bid as specified in the bid documents scheduled for opening September 29, 2016 to Jimmy's Tree & Landscape Contractor, LLC of Philadelphia in the amount of \$9,820.00 as per the recommendation from Director of Operations; Mr. Richard John.

Mr. Snyder questioned if the Board previously approved a tree pruning contract with a different contractor. Mr. John answered; the current tree contract is for a separate set of trees to be pruned. The 2016 budget allocated \$50,000.00. With the last tree pruning contact at a cost of \$22,000, the new contact can be covered by the balance.

MOTION was ADOPTED 5 to 0.

E. Bills List – October 4, 2016

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown. Township Board of Supervisors approve the October 4, 2016 Bill's List.

MOTION was ADOPTED 5 to 0.

## IX. ANNOUNCEMENTS

The first fall Movie in the Park event is scheduled for October 29th in celebration of Halloween. The scheduled movie is Hotel Transylvania and will begin at dusk. All information will be posted on [www.doylestownrec.org](http://www.doylestownrec.org)

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, October 18, 2016 at 7:00PM.

B. The Doylestown Township Board of Supervisors along with the Ways and Means Committee will hold a Budget Work Session at 5:00 PM this evening. Public is welcomed to attend.

C. The Board of Supervisors will hold an additional Budget Work Session on Tuesday, October 18, 2016 at 4:00 PM at the Municipal Building. Public is welcome to attend.

D. The Doylestown Township Administration Offices will be closed on Monday, October 10, 2016 in observance of Columbus Day.

E. BCATO Education Series: Tackling the County's Opioid Crisis – October 12, 2016, 7:00 PM – 8:30 PM at Doylestown Twp. Administration Building

Narcan training will be conducted for residents. Mrs. Lyons announced Narcan will be provided to residents after completion of the training session.

F. Sensory Trail Dedication/Ribbon Cutting – Thursday, October 13th from 4:00 PM – 5:00 PM in Central Park

G. Howl-O-Ween – October 22, 2016, at Central Park from 10:00 AM – 1:00PM. If you'd like to participate please contact our office or email us at

H. CB Cares – 2016 Pumpkinfest – Saturday, October 22nd at the Moravian Tile Works, gate open at 2:00PM

I. EAC Fall Speaker Series “Restoring Nature’s Relationships” –Doug Tallamy – October 27th at 6:00 pm at Delaware Valley University. Cost \$10 per person, Delaware Valley University students free w/ ID. Tickets are available at the Township Building or at the door.

J. Doylestown Township Leaf and Yard Waste Recycling – The Drop Off Site is open every third Saturday of the month, March-December, 9 AM – 11 AM. Location: New Britain Road access to the back part of CENTRAL PARK

**X. ADJOURNMENT**

Hearing no further business, the October 4, 2016 Doylestown Township Board of Supervisors Regular meeting was adjourned at 5:14 PM.

Respectfully submitted by

Stephanie J. Mason