



# Board of Supervisors

## Regular Meeting

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

~ Minutes ~

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Tuesday, August 15, 2017

7:00 PM

Public Meeting Room

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### I. 7:00 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; Dave Tomko, Township Solicitor; Jeffrey P. Garton, Chief of Police; A. Dean Logan and Township Engineer; Mario Canales.

#### A. Pledge to the flag

#### B. Presentation – Appointment of Police Officer – Joseph B. Zuchero

Chief Logan recommended the Board consider Joseph B. Zuchero be appointed as a sworn officer of the Doylestown Township Police Department. Officer Zuchero completed all phases of the testing process. His background consists of graduating from Harry S. Truman High School, Associate Degree in Police Administration from Bucks County Community College, Bachelors Degree in Criminal Justice from Holy Family University, 2009 graduate of the Temple Police Academy and currently working with the Bucks County Park Rangers and Newtown Borough Police Department.

Mrs. Lyons made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors appoint Joseph B. Zuchero as an officer of the Doylestown Township Police Department.

MOTION CARRIED by a 5 to 0 vote.

Officer Joseph B. Zuchero was sworn in by Magisterial District Judge; Mark D. Douple as his wife, Kathryn looked on.

#### C. Visitors/Public Comments

### II. PUBLIC HEARING

#### A. Pebble Ridge/Woodridge and Vicinity Sewer Project – Continued from 7/18/17

Mrs. Lyons reported; since meeting on July 18, 2017, the Board carefully reviewed and examined all letters received with questions and comments regarding the proposed Pebble Ridge / Woodridge and Vicinity Sewer project. All questions were carefully answered and posted on the Township's website at [www.doylestownpa.org](http://www.doylestownpa.org) on Friday, August 14, 2017.

Mrs. Lyons opened the floor for public comments and requested questions be specific to concerns or questions not yet addressed.

Resident; Robert Taylor of 1463 Lower State Road questioned; is there a map outlining the affected 252 homes that will be served by the proposed pumping station. Ms. Mason answered; the area map, approved by the Department of Environmental Protection (DEP) is available on the Township's website, in the 3M study. Mr. Colello added; the map is also available at the Administrative Offices.

Resident; Melissa Maurer of 37 Doe Run Drive questioned; why is the sewage from Doe Run Drive will be pumped up hill at an additional cost. She noted another sewage line is closer to the development. Mr. Alexander Dyke, P.E. of Gilmore & Associates, Inc answered; Doe Run Drive will be served by a low pressure sewer, which is a network of grinder pump connections. Gilmore & Associate's engineers found it would be more destructive and costly to run a connection down a hill through properties, steep grades and existing woods. Ms. Maurer commented; she disapproves of the plan. Each home owner along Doe Run Drive will have an additional costs totaling approximately \$20,000 for the grinder pumps and to have the connection run up a hill. Mr. Dyke responded; it will be more costly to have a connection run up a hill. However, the additional cost to install the pipes into the street will be more reasonable.

Resident: Teresa Carroll 25 Doe Run Road questioned; what will the actual cost be for each homeowner. Mrs. Lyons answered; the cost for each home owner will be capped at approximately \$34,000.00 and includes projected, Township administrative expenses.

Resident: Dr. Audrey Irvin of David's Way questioned; what analyzes has been completed to assess the short and long term financial impact on individuals and the community. Mrs. Lyons responded; there is an area in need of sewers due to failing soils. Biochemically they no longer can support on site systems. Over the past several years, the Township has completed various testing and studies. As a last resort, a public sewer connection is needed to resolve the issue. Ms. Manion added; to assist with financial burden, the Township has offered low interest loans through Pennvest. Upon Dr. Irvin's question, Ms. Manion added; a cap has been noted on the ordinance in the amount of \$34,126.00 for each homeowner. Dr. Irvin then question if additional costs will be added to the capped amount. Mrs. Lyons answered; the cost includes installing the pipe in the street. Dr. Irvin noted; the costs are problematic due to Bucks County Water & Sewer Authority (BCWSA) having no oversight and accountability with a no bid process. Mr. Snyder responded; over the past month, the Ms. Mason has reviewed each line item and worked with BCWSA to ensure the amount quoted includes all expenses. The only charge not included is if contractors find a problem during the digging process, such as an oil drum or artifacts.

Resident: Penny Larrissey of Old New Road commented; the interest on the loan will be \$10,653.60 with a twenty year pay back of approximately \$545.00. For her property, a grinder will need to be added at an approximate cost of \$20,000.00. It will be difficult to match the technology between now and a home that was built in 1940. Upon reading the ordinance, a new home owner will receive \$87,653.00. Ms. Larrissey concluded by stating; the Township is punishing homeowners, because how the ordinance was written fifteen years ago.

Resident: Charlie Doneson of Woodridge Drive commented; upon a statement from Mr. Colello indicating; with a no bid construct offered, it will be an advantage to have Gilmore & Associates available to address issues, after the sewer project is completed. Mr. Doneson noted; the septic system on his home was installed by Gilmore & Associates in 1968 and they should have the responsibility to repair and pay for the proposed sewer connection.

Mr. Doneson continued; the Township constantly reported the area has poorly drained soils with high clay content and high levels of human fecal coliform. Upon reviewing all studies submitted by Conestoga-Rovers & Associates, there was no indication fecal coliform was found. Additionally,

when his original septic system was installed in 1968, Gilmore & Associates recorded his soils as perked and within regulations. The Bucks County Health Department's code for perk has not changed since and the requirements are the same. Mr. Doneson questioned; why are Gilmore & Associates hired to complete the same work as in 1968. Ms. Lyons answered; between 1968 and now, the soils have been failing and saturated with contaminates. Over many years of discharging the soil, the current systems are no longer functioning. With a high level of waste in the ground, the clay content doesn't assist with the situation. All waste deposits have broken down and overwhelm the systems. The biomechanics do not support waste deposits into the ground. Gilmore & Associates are the engineers working with BCWSA and with today's building standards, which are different from 1968.

Mr. Doneson disagreed and indicated; the Bucks County Department of Health never reported the soils conditions in the Doylestown area as not suitable for on-site waste water sewer systems. He clarified; Bucks County Department of Health stated the area was never suitable and asked why was Gilmore & Associates allowed to inspect and pass all affected homes. The township will only continue the existing problem if they allow Gilmore & Associates to be involved with the project. Mrs. Lyons responded; Gilmore & Associates is the engineer for BCWSA and will assist the Township with obtaining the Pennvest loan. Upon Mr. Doneson question, Mrs. Lyons clarified; Bucks County does not reassess homes for tax increase with regards to the sewer connection project.

Mr. Doneson questioned; who does Jeffrey Garton represent as an attorney. Mr. Garton answered; with regards to the ordinance, he represents the Township. However, the agreement between BCWSA and Township, Mr. Matthew C. McHugh, Esquire will be special counsel for the Township. Mr. Garton only prepared the ordinance. Mr. Doneson questioned; is the relationship considered a conflict in interest. Mr. Garton answered; it could be. However, the issue is being resolved by special counsel. Mrs. Lyons added; the Board is very careful and only has the best interest of the residents.

Upon a discussion between Mr. Doneson and the Board regarding the nature of the questions, Chief Logan interjected to explain; the police department is in charge of civil conduct of the residents and Board. Anyone showing disrespect will be asked to leave.

Resident; Mike Shane of Militia Hill Road questioned; with two sewer systems affected as the ridge in middle, high and low pressure systems, why is it fair to ask the affected residents to pay for the project and not the entire township. The affected homes have to pay three times of what the ground cost will be. Mr. Dyke clarified; there is a geographical divide in the project, where parts drain naturally to the interceptor and the other part is served by the pump station. Whether the pipes connect to the existing sewer along one area or two, there is still one interceptor serving one area. The costs are legally assessed to all of the residents equally, regardless of the connection.

Mr Shane commented; Militia Hill was shoe horned into the public connection project to reduce costs. Mr. Colello clarified; the piping to service everyone needed a connection to the interceptor. In order to do so, it was run through certain areas, to include Militia Hill. Militia Hill was included into the project, because the pipe had to run through the street. Mr. Shane disagreed, stating a pipe line was added after the fact as stated in the 3M study. Ms. Mason clarified; the statement was included in the 2012 feasibility study completed from Carroll Engineering, where it suggested to incorporate Doe Run Road and Militia Hill.

Resident; Betsy McCormick of Pebble Ridge Road commented; her home has a failing system. She agrees the soils never perked and on site systems should have never been considered. She is in favor of the public connection and tired of hearing about the process. The issue has been going on for over

twenty years and needs to be resolved. Ms. McCormick noted; if the issue was resolved twenty years ago, the cost to the residents would have been lower. The price to hook up is very expensive, but believes there are no other options. However, stated the connection will raise the value of all affected homes.

Resident: Colleen Mullen of Old New Road agreed with Ms. McCormick statement. She then questioned Mr. Garton why is Section 8 included in the ordinance. Mr. Garton explained; there is a tap in fee that is part of the BCWSA system, where payment from residents covers the cost of the treatment capacity at various treatment plants. This will be considered a reimbursement through payments by the residents and the ordinance will not cover the expense. Ms. Mullen then questioned; if the writing of the ordinance reflects Mr. Garton's relationship between the Township and BCWSA. Mr. Garton responded; the ordinance does not relate to any personal responsibility. Ms. Mullen suggested the section be removed. Mr. McHugh added; Section 8 provides an explanation for the tap in fee. Any resident is free to negotiate tap in fees with BCWSA. If BCWSA change or reduce fees, it will not impact the ordinance. Upon requesting the section be removed a second time, Ms. Lyons answered; the ordinance requires any resident affected by the ordinances understand all aspects. What is owed by the resident as it pertains to the project will not affect the ordinance.

Resident: Lorna Harris of 15 Westaway Lane questioned; doesn't the monthly sewage payments assist with the treatment plant maintenance? Mr. Dyke explained; BCWSA recovers costs for operating the systems in two ways. The first is by the tap in fees, which covers capital costs. The monthly billing covers the ongoing operation and maintenance. Tap in fees are calculated by State regulations and all authorities operate in the same manner. It's based upon the cost of the facilities. The calculation is based upon the share per connection of the overall system or overall dwelling units. Each resident will buy a share as a capacity of use of the system and upfront cost. As the system is used over years, each resident pays a monthly fee to cover the daily and yearly maintenance of the system.

Ms. Harris questioned; how does the project relate to the parcel of land owned by Toll Brothers located off Lower State Road. Mr. Garton answered; if anyone else connects to the project, they will pay a recapture fee. This is a proportion share and other residents will receive a refund of what is paid up to ten years. Ms. Harris then asked who will be monitoring the additional connections. Mr. Garton answered; as per State law, the Board and the BCWSA will be monitoring any recapture fees.

Resident: Evan of Westaway Lane questioned; will law suits or any changes will increase the current \$34,126.00 cap. Mrs. Lyons indicated yes. However, if other homes tie in or are remove from the system, the amount of the cap may change. Ms. Mason added; when the billing is completed in 2020, there will be a better idea. The hope is to have additional support added, such as the \$252,000.00 grant.

Upon confirming pricing, resident: Beth Pegmar of Willow Lane questioned; were estimates received from plumbers to connect the pipe into the street and into the residents' homes. Mr. Dyke answered; the private cost for homeowners to connect at the property line is not part of the project or shared cost estimate. The cost to connect will be the responsibility of each property owner. Upon estimating, an average price of \$8,000.00 for each home, project wide was determined. However, there is a wide difference in price between a home close to the street in need of a gravity connection, a home further away and a home in need of a grinder pump. Ms. Pegmar then questioned; why hasn't several bids been obtained for the project. Mr. Colello answered; other estimates have been received and offered to provide paperwork after the meeting. Mr. Snyder added; Gilmore & Associates and BCWSA provided estimates.

Mr. Snyder explained; with the tap in fee and the connection to the homes, the township will not be involved. Bids will be offered for the pump station and materials only. BCWSA will charge for labor at cost. Only a portion of the eight million dollar project will not have a bidding process. Mrs. Lyons added; the process will also be less costly, because of the prevailing wage. With BCWSA completing the job, the township will not incur a higher expense. Ms. Pegmar questioned; what is the difference between bids with and without prevailing wages. Mrs. Lyons answered; 20 to 30% additional.

Ms. Pegmar questioned; were grants or additional funding researched. Ms. Mason answered; the township received a Pennsylvania Department of Community and Economic Development grant in the amount of \$252,000.00 that will be applied to the project. Additionally, the Township is applying for a low interest loan from Pennvest and currently awaiting a response from the Bucks County Community and Economic Development regarding a second grant. Mr. Pegmar asked if funding is available through the Environmental Protection Agency (EPA) and should some of the cost be passed onto neighbors if the project will improve the entire township. Mrs. Lyons answered; the township cannot access residents who already paid for a sewer connection. Mr. Colello added; 50% of residents have already paid for a sewer connection. Ms. Mason indicated; she attended a meeting where the congressman spoke and mentioned the need for public infrastructure in hopes for more legislation to allow for additional grants. Mrs. Lyons added that State Representative; Marguerite Quinn and State Senator; Charles Mc Ilhinney are working hard to locate additional funding from Harrisburg.

Resident: David Murray of Buck Road requested clarification of the construction portion of the project. Mr. McHugh explained; the proposed contract between the Township and BCWSA for the construction of the public portion of the sewer system is defined as placing the line into the street. The total cost of the project is estimated at approximately 8.6 million dollars. A "not to exceed number" in the amount of approximately 7.8 million dollars for BCWSA to construct the line into the street. This represents all materials and the pump station scheduled to be bid out. It also includes BCWSA using a non prevailing wage for labor costs. The project will not be invoiced until sometime in year 2020. This will provide a period of three years for the Township to explore grant opportunities. BCWSA will take full responsibility for the construction, supervision, permitting and inspection of the system. Upon conclusion of the project, the Township will transfer the loan to BCWSA. Any resident who receives public sewer connection through the project will become a customer of the BCWSA.

The 8.6 million amount quoted will have added expenses, to include township's expenses, easements, Pennvest loan and additional construction charges. The amount does not include the cost of on lot improvements, tap in fees, the cost of the pipe to connect into the system and into the street. At the resident's choosing, BCWSA will be able to perform the work. However, residents are able to locate outside contractors. Another option is to have a group or community work together with one contractor to complete the work to save costs. Other funding sources include Bucks County Redevelopment Authority (RDA) and other governmental entities. The township will apply for the Pennvest loan and finance the upfront costs of the construction for the public portion. Because it's a governmental entity borrowing the money, the township will receive a favorable interest rate and currently based upon Bucks County unemployment rate. However, if the unemployment rate changes, the rate of the loan will change as well. To date, the township is undergoing the application process at a current rate of 1.64 % for years one through five of the loan. The rate will change to 2.129% for years six to twenty. BCWSA agreed to take over the loan and make payments when the system is completed. A loan repayment provision for members of the public who are able to pay for their assessment at the same rate BCWSA and the Township are receiving through Pennvest. This rate will be better than financing through a private financial institution.

Once the system is completed in 2020, Gilmore & Associates will notify the township of the construction actual costs and will be capped at the "not to exceed" amount. The township will add administrative expenses to the actual amount received by Gilmore & Associates to provide a total cost of the project. The cost is not anticipated to exceed 8.6 million dollars as noted under the agreement and ordinance. The total amount will then be divided by the 252 homes affected and is based on certain items. The items may include, provisions for additional properties joining the system, multiple lots and only one home, combined and merged lots with one assessment. These provisions may increase or decrease the total amount. Other provisions include, locating a sewer connection elsewhere that may reduce the number. The total amount will become an assessment for each individual property owner that has benefited by the system. The township will send invoices to the home owners for the cost. The anticipated cap cost with reasonable expenses will be approximately \$34,126.00 per household. There are three options to pay off the debt. The first is to pay the full amount, where no lien will be placed. Second; a box will be available to check on the invoice providing authorization to finance the amount owed from the BCWSA for a period of twenty years. The agreement will include the same rate as offered through the Pennvest loan. Once chosen, a monthly bill will be forwarded to the home owner from BCWSA. A lien will be placed on the property to ensure repayment. Additionally, a loan agreement will have to be implemented with BCWSA. Third; the resident will have the opportunity to finance the cost through a financial institution or lender of their own choosing. As with the agreement with BCWSA, a lien or second mortgage will be placed on the property. Provisions through the agreement for recapture. If anyone connects to the public sewer connection within five years, there is an opportunity for the resident to recapture cost per state law.

Mr. Murray questioned; once a home is sold, can the seller recapture any costs. Mr. Garton answered; if an affected home is sold and received a payoff, the lien will follow the seller. Mr. Murray commented; the reported cap is inaccurate due to being an estimated cost. Mr. McHugh responded; the estimated is strong and not taken lightly. Mr. Murray questioned; should a lawsuit arise to the township, who will be paying the legal fees. Mr. Garton answered; the project will pay for any legal fees.

Resident: Amy McHugh of Davids Way questioned; how is there a cap if there is no labor cost involved. Mrs. Lyons answered; all labor costs are included with pricing due to BCWSA completing the project. She then questioned; if the job will be considered time and materials. Mr. Garton indicated yes. Ms. McHugh questioned; how many homes will the proposed pumping station service outside the 252 homes. Mr. Dyke answered; the design of the pumping station includes peaking factors per DEP guidance to handle three to four times more. The facilities will be sized appropriately and expandable, if needed. Ms. McHugh requested the itemized list of Township expenses. Mrs. Lyons responded; the itemized list can be obtained at the Administrative offices.

Ms. Roland questioned; if the BCWSA can issue a municipal bond to cover the capital cost of the project on their balance sheet. Mr. Garton answered; the BCWSA can issue bonds, but cannot make the other rate payers of the project pay for the structure or elements. Other rate payers had sewer lines installed and the rates themselves cannot cover the capital expense associated with new lines.

Resident: Denise Christophi of Westaway Lane informed; the Toll Brothers purchased the Bray property. Ms. Mason responded; the sketch plan is from 2015 for 40 homes. Upon presenting the development plan to the Planning Commission, the applicants have not moved forward with preliminary plans. To date, no official development plans have been submitted. The Township also has not received any plans regarding the Bray property. Ms. Christophi questioned; if the plans move forward and request to tap into the sewer connection, will the residents receive a refund of the tap in fee or a portion of the price to build. Mr. Garton answered; if a development plan is submitted

for the Bray property and the entire system can adequately handle the additional homes, it will be subject for recapture. The applicants will be required to pay the \$6,200 tap in fee and a proportional share of the \$34,126.00. This will provided a refund to residents who previously connected to the system.

Ms. Christophi noted the BCWSA and Gilmore & Associates provided a different price to construct the pumping station. Ms. Mason indicated; upon speaking with John Butler, the \$190,000 quoted from the BCWSA was an actual figure for tree clearing services. Upon additional questions from Ms. Christophi, Mrs. Lyons indicated; if plans move forward to additional development, the township will notify all residents and noted on the assessment. However, the township cannot ask a developer to pay for the connection prior to the land development process. The township cannot force a development.

Ms. Christophi questioned; How is the BCWSA charging for their work as it pertains to the project. Mr. Garton answered; the BCWSA is charging the Township at cost for time and materials. Additionally, a monthly report will be provided to include a hourly expense and materials purchased and will be available to the public.

Ms. Pegmar requested the Township's administrative and BCWSA cost list be placed on the township's website. As an alternative, to possible hold another public meeting to view with residents. Mrs. Lyons indicated; the list will be provided at the September 19th Board of Supervisors Regular meeting.

Resident: Cindy Wood of Woodridge Drive informed; the Doylestown Township Public Water & Sewer Authority has not posted minutes since March of 2017. Ms. Mason offered to check the status. Ms. Wood questioned; if the first years of the Pennvest loan will include the construction of the project. Mr. McHugh answered; the Pennvest loan is considered a drawn down loan and will be deducting as needed for construction. Mr. Wood indicated; the first three years of the loan will only be interest payments. Mr. Garton answered; the residents will only benefit the first three years personally, because it will reduce the interest expense to the township. As a result, the payback year of the loan will be seventeen years. Mr. McHugh added; details are still being worked out whether BCWSA will provide a three year period at the Pennvest rate or a seventeen years.

Ms. Wood's final question was if everyone affected will be guaranteed the Pennvest loan. Mr. McHugh clarified; the BCWSA will oversee the Pennvest loan. BCWSA is provided the option to residents to apply for a loan through them and be charged the same rate as offered. Everyone is guaranteed to be qualified for the loan upon signing a loan agreement. Ms. Wood questioned; what will happen if the Penvest loan is denied. Mrs. Lyons indicated; she doesn't see that as an option.

Resident: Bill Aldrich of Willow Lane questioned; if the Toll Brothers plan is approved and they tap into the pumping station, will they be required to pay the residents to tap into the system. Mr. Garton indicated yes, there are no other treatment facilities, than Green Street through the system.

Resident: Phil Sloper of Davids Way questioned; how is the lien not going to affect anyone signing the agreement credit. Mr. McHugh answered; the lien will not be a judgment, but a promise to pay back the loan. It will not have a negative effect to anyone's credit. Mr. Sloper requested to remove the word lien from the agreement. Similar to a mortgage process, the BCWSA will place a lien on the property to ensure it is paid back. The lien will not be reported to the credit agency. Mr. Sloper questioned; with BCWSA not charging the township for inspection, will the project be inspected. Mr. Snyder answered; BCWSA will inspect the work as its being completed and no outside source will conduct additional inspections.

Resident: Anita Peters of Stoney Lane Circle questioned; can a resident with an affected home pay their portion in full and receive a discount. Mrs. Lyons indicated BCWSA will not issue any discounts. However, the Board will have additional discussions with BCWSA about the matter.

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors authorize the construction of an extension to the sanitary sewerage collection system along the Pebble Ridge \ Woodridge area in Doylestown Township and approved Ordinance No. 384.

MOTION was ADOPTED 5 to 0.

### III. ANNOUNCEMENTS

- A. 2018 Budget Work Sessions will be held on Wednesday, August 23, 2017 at 4:00 PM and Tuesday, September 19, 2017 at 4:00 pm. The public is welcomed to attend.
- B. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, September 19, 2017 at 5:00PM.
- C. The Bicentennial Committee will be meeting on Tuesday September 5th at 5:00pm and September 19th at 2:00pm
- D. The Doylestown Township Administration Offices will be closed on Monday, September 4, 2017 in observance of Labor Day.
- E. Thompson Performing Arts Series at the Covenant Bank Amphitheater in Central Park – 1. Eric Mintel (Jazz) – August 23rd at 7:00PM
  - 1. Family DJ Dance Party – August 25th at 6:30 PM
  - 2. Jimmy and the Parrots (Buffet/Beach) – September 13th at 7:00PM
  - 3. MOVIE – Pete’s Dragon (Courtesy of Pennoni Assoc.) – September 15th at Sunset
- F. Give the Gift of Life. The Red Cross will hold a Blood Drive on Friday, Sept. 15, 2017 from 2:00pm – 7:00pm at the Activity Center behind the Administration Offices. To schedule an appointment go to
- G. Fido Float at Fanny – Sept. 9th at Fanny Chapman Pool from 12:00PM – 4:00PM. For additional information and to register for this event, please visit our website at
- H. Leaf and Yard Waste Recycling - Doylestown Township residents only. The Drop off Site is open every third Saturday of the month, March-December from 9 am to 11 am. Location: New Britain Road access to the back part of CENTRAL PARK.
- I. REMINDER: Central Bucks Schools will be back in session on Tuesday, September 5th. Please Drive Carefully.
- J. Reminder: You can purchase Discount Movie Tickets and Discount Theme Park Tickets from our Administration Offices

K. Fundraisers: Information is available at the Administration Office.

1. EAC Magnets - \$5.00 ea.
2. Twp. Bicentennial Caps - \$20.00 ea.

L. Family Fun Event: Wrecking Ball – Saturday, Sept. 16th from 3:00 – 7:00 PM at Municipal Building.

**IV. MINUTES APPROVAL: Regular Meeting: July 18, 2017**

Mr. Snyder made a MOTION; seconded by Mr. Colello the July 17, 2017 Doylestown Township Board of Supervisors Regular Meeting minutes be approved.

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

Mr. Snyder made a MOTION; seconded by Mr. Colello the June 20, 2017 Doylestown Township Budget Work Session minutes be approved.

MOTION was ADOPTED 5 to 0.

**V. CORRESPONDENCES**

A. Boards & Committees – Leave of Absence/Resignations

Ms. Manion made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors accept Barbara Kesselring's resignation as a member of the Doylestown Park & Recreation Board.

MOTION CARRIED 5 to 0.

The Doylestown Township Board of Supervisors acknowledges Ed Ebenbach's request for a leave of absence as a member of the Ways and Means Committee for the duration of the Budget Analyst consulting assignment.

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors accept Ed Harvey resignation as a member of the Planning Commission.

MOTION CARRIED 5 to 0.

B. Permit Fee Waiver Requests

1. Bucks County Foodshed Alliance

Ms. Manion made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors waive a \$200.00 fee for Special Event and Signage permit requested by Ms. Shari Rossman of the Bucks County Foodshed Alliance.

MOTION CARRIED 5 to 0.

2. CB Cares – Pumkinfest – 10/22/17

Ms. Manion made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors waive the township's Application, Use, Security Deposit, Other fee for use and Permit fee as requested by

Kimberly Cambra of CB Cares Educational Foundation with regards to the Sunday, October 22, 2017 Pumpkinfest event.

MOTION CARRIED 4 to 1 with Mrs. Lyons abstaining due to her connection with CB Cares Educational Foundation.

## VI. REPORTS

### A. Solicitor

### B. Police Chief

### C. Township Engineer -

### D. Director of Operations – Building Renovation Update

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the execution of Smith Miller Associates additional services from the time and materials proposal, not to exceed in the amount of \$9,000.00 for additional lighting along the parking lot with regards to the Municipal Complex Phase II expansion of the Administration, Police and Park & Recreation site \ civil plan development.

MOTION was ADOPTED 5 to 0.

Mrs. Lyons made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the execution of the JD Bravo Company additional services proposal in the amount of \$23,300.00 for the remediation of hazardous materials and demolition contracts with regards to the Municipal Complex Phase II expansion of the Administration, Police and Park & Recreation site \ civil plan development. Bids are scheduled to be dispatched within thirty (30) days.

MOTION was ADOPTED 5 to 0.

Mr. Tomko reported; three change orders were received from Trotter Electrical Contractors in the deduction amount of \$15,893.02 and two additions in the amount of \$51,222.57 for a total amount of \$67,115.59. The change order is related to work that would have been completed in Phase II was completed during Phase I. The deduction is regards to removal of the power supply that would have run to the fuel system. The system will be installed by another, approved source. Under section 2A, the additional work is regarding a connection to a new transformer in order to power the municipal building. Under section 2b, the additional work is regarding powering down to the fleet maintenance building. Additional items are noted under section 3 as transformer connections. Phillips and Donovan has reviewed all change orders and recommends Board approval.

Ms. Manion made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors approve Trotter Electrical Contractors request for a change order in the total amount of \$67, 115.59 for power supplies and transformer connections with regards to the Municipal Complex Phase II expansion of the Administration, Police and Park & Recreation site \ civil plan development.

MOTION was ADOPTED 5 to 0.

Mr. Touhill made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors award the execution of the Hazard Materials Abatement contract submitted by Ecoservices, LLC of Exton, PA for the base bid amount of \$16,733.00 with regards to the Municipal

Complex Phase II expansion of the Administration, Police and Park & Recreation site \ civil plan development.

MOTION was ADOPTED 5 to 0.

Mr. Snyder made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors award the Municipal Building Demolition contract to Tamco Construction, Inc of Pipersville, PA in the amount of \$125,100.00, as per the recommendation of Phillips & Donovan Architects, LLC.

MOTION was ADOPTED 5 to 0.

E. Manager

1. Meeting Time Change Request

Ms. Mason requested Board consideration to adjust meeting times between the Bicentennial Committee and Board of Supervisors meetings on September 19, 2017. The Ways and Means Committee have requested to allow more than one hour to conduct their meetings.

Upon a brief discussion, the Board agreed by consensus to schedule the September 19, 2017 meetings as :

*Bicentennial Committee Meeting at 4:00pm*

*Board of Supervisors Regular Meeting at 5:00pm*

*Ways and Means Budget Work Session immediately following the Board of Supervisors meeting.*

Meeting schedule for October 3, 2017 is as follows :

*Ways and Means Budget Work Session at 2:00pm*

*Board of Supervisors Regular Meeting at 4:00pm*

2. Act 172 – Tax Credit

Ms. Mason reported; a discussion is needed regarding creating an ordinance and tax credit procedure to note instead of a percentage, a flat dollar amount be considered with regards to the Volunteer Fire Fighters Earned Income Tax credit for their service.

Mr. Garton recommended; the Township coordinates with other communities served by the Volunteer Fire Fighters uniform. Ms. Mason indicated; the township is currently working on contacting the communities.

The Board agreed by consensus to consider a flat dollar amount be noted under the ordinance and tax credit procedure.

F. Supervisors – UCC Board of Appeal Appointment

Mrs. Lyons made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors appoint Kevin Harrigan to the UCC Board of Appeals.

MOTION CARRIED by a 5 to 0 vote.

Mr. Snyder reported; the Pension meeting was held earlier today with a positive outcome. The Pension Task Force and the Ways & Means Committee conducted several meetings during the past nine months to review other Township's pension liabilities. Mr. Snyder congratulated both

committees on a job well done. A presentation was submitted to the Pension Committee and is scheduled for Board review during a Budget Work Session with recommendations.

## VII. UNFINISHED BUSINESS

### A. Stormwater Plan Update

Mr. Canales reported: for the 2017 MS4 renewal permit process, the township is required to prepare a total maximum load and pollution reduction plan. The plan was prepared in conjunction with GHD Engineering Consulting firm. Another requirement is to present the draft plan for public review and comments. The Stormwater plan was advertised in the Intelligencer newspaper on July 26, 2017 and provides a thirty (30) day comment period until August 25, 2017.

GHD Engineer; Patrick Boggs reported; four watersheds along the township is noted as polluted or impaired by the Department of Environmental Protection (DEP). They are identified as Neshaminy Creek, Pine Run, Cook Run and Mill Creek. Along with Mr. Canales, Mr. Boggs determined the amount of pollutants developed along the watersheds. A capital improvement plans was then designed to determine pollutant reduction at ten percent (10%). Mr. Boggs recommends completing five specialization and extreme restoration projects and to conduct as many projects in house without having to send out to bid.

The five projects are outlined as for the Neshaminy Creek watershed a section of approximately 700 to 800 linear feet of stream behind the municipal building is recommended to be restored. Riding at Covered Bridge development has existing basins, where a Best Management Practice (BMP) retrofit project is recommended. Currently, there is a concrete channel and water flows through the basin. The idea is to remove the channel and conduct minor grading. The Pine Run Road stream restoration, where a stream runs along the road causes recurring issues. For maintenance, it's recommended to fold this project into the plan. For the Cotton Wood Court project, another BMP retrofit is recommended. A basin was installed in the 1980s or 90s and the township will be able to make repairs. For Old New Road Stream restoration, there is a pipe that discharges water and it's eroding away the channel. It's proposed to also fold this project into the plan.

Mr. Garton questioned; all issue noted are mostly silt. Mr. Boggs agreed. He continued; part of the MS4 program, the outfalls should be monitored for fecal matter. There are three main pollutants as silt or sediment, total suspended solids, nitrogen and phosphorus. For this cycle, if the silt or sediment is handled first, the rest will be taken care of. There is a five (5) year permit time line. It will take DEP approximately six (6) months to approve the permit. Upon approval, the township will have five (5) years to implement the projects. If any development issues arise, the projects can be adjusted. Mr. Boggs suggested beginning with smaller projects and work up to larger ones.

Mr. Colello questioned; by what date should the Board submit their approval. Mr. Canales answered; the permit application is due September 16, 2017 and after the thirty day comment period between July 26th and August 25th. Tonight's task is to present the plan for public comment. Once comments are presented and responded to, details are to be included with the Township's response noting changes in the plan from the comments.

Bike and Hike and Planning Commission member; Thomas Kelso questioned; can the Township take credit from improvements by Delaware Valley University. Mr. Canales answered; the township can take credit if the improvements were received from one of the public outfalls. Any self-contained improvements from the University cannot be credited. The Township will not be including the University's land due to the sheet flowing directly into the stream. The land will not be included in the calculations due to the township not being responsible for the load.

Mr. Canales reported; the plan is available on the township's website at [www.doylestownpa.org](http://www.doylestownpa.org) and a hard copy can be obtained at the Administrative offices. He then noted two items as payment of \$2,500.00 to the Commonwealth of Pennsylvania is needed when the application is submitted. Mr. Canales then requested Board

authorization the Chairman sign the application when completed. This should be completed prior to the September 19, 2017 Board of Supervisors Regular meeting due to being passed the September 16th MS4 renewal deadline.

Mr. Snyder questioned; when will the estimates be available. Mr. Canales answered; an estimate was submitted approximately one week prior and will be built into the township budget process. The estimate for all five projects, including an engineering contingency is in the amount of two million dollars.

Mr. Touhill made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisor authorize the Chairperson sign the permit application and approve payment of \$2,500.00 be forwarded to the Commonwealth of Pennsylvania as per the Department of Environmental Protection requirement under the 2017 MS4 renewal permit process.

MOTION CARRIED 5 to 0.

## VIII. NEW BUSINESS

A. Authorization to Advertise – Inter-Municipal Agreement Authorizing Hough Assoc. to Collect Recycling Data and Prepare Grant Applications

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors authorize advertisement of the Inter-Municipal Agreement between Hough Associates to collect the 2017 through 2021 Residential and Commercial Recycling Data and prepare a Multi-Municipal PA DEP 904 Recycling grant application for Doylestown Borough, Doylestown Township, Chalfont Borough, New Britain Borough, New Britain Township, Warrington Township and Warwick Township.

MOTION was ADOPTED 5 to 0.

Mr. Snyder questioned; how is the payment split calculated. Ms. Mason answered; the township will receive additional funds from recycling based on weight.

B. Disposition of Township Records

Mr. Touhill made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors authorize the disposition of public records as noted on the agenda and in accordance with ACT 428 of 1968 and by virtue of Resolution No. 1626, adopted on May 1, 2012.

MOTION CARRIED 5 to 0.

C. TruMark Financial Credit Union

Mr. Touhill made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve TruMark Financial Credit Union schedule a meeting with the Township Staff for additional benefits at no cost to the Township.

MOTION CARRIED 5 to 0.

D. 2017 Trash Hauler Permits – Amendment

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the 2017 Trash Hauler Permit service list be amended to include Whitetail Disposal of Gilbertsville, PA and Delguericos, Inc of Riegelsville, PA for residential and commercial property hauling services.

MOTION was ADOPTED 5 to 0.

## E. Bike Hike Trails – T. Kelso

1. Neshaminy Greenway Phase 2 - Bid

Bike & Hike member; Thomas Kelso reported; bids have been received for the Phase II portion of the trail that extends the Neshaminy Greenway at Upper State Road to the New Britain Train Station. The section is complicated with three municipalities involved and many easements. Bids received were on target and under a 50/50 state grant of \$326,000. Of the amount, \$170,000.00 was spent completing Phase I, plus match through in-kind services.

With Phase II, New Britain Borough will be completing part of the work and providing \$22,000.00 in cash.

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors award the bid for construction of the Neshaminy Connector Trail Phase 2 to James R. Kenny in the amount of \$165,650.00.

MOTION was ADOPTED 5 to 0.

2. Proposed Grant Application – Shady Retreat Rd./Limekiln Rd./Sandy Ridge Rd.

Bike & Hike member: Mr. Thomas Kelso requested Board authorization to apply for a grant, which was part of the capital budget. The capital budget pushed out the project to the year 2021 and involves Shady Retreat Road and Sandy Ridge Road. The section is key to connect various trails and more dense neighborhoods. Due to the Tap Grant being a good fit, the Committee decided to move the project up the list. The grant is 100% construction funding and the Township portion will be design and easements. This will enable the project to be 85% funded. There are also significant Pennsylvania Department of Transportation (Penn Dot) issues with crossing the Route 611 Bypass and key intersections. The trail will begin at Broad Street towards the Mennonite Church and extend to tie onto Doylestown Hospital's trail. The trail will then extend down Shady Retreat Road towards Burpee Road. The road currently has many easements and a sixty foot right of way. As a result, no easements will be needed and can be completed within the public right of way.

Mr. Kelso noted; to tie back into the trail at Burpee Road and State Street, a trail off Stonington Farm connects to Shady Retreat Road. The Bike and Hike Committee recommends completing a final connection. Construction is anticipated by year 2021 with following the Federal regulations. Additionally and prior to construction beginning, a large number of preparation work needs to be completed. The estimated cost is at 1.6 million dollars and will be funded and the Township share will be 15% or \$240,000. The township portion can be compensated through Department of Conservation and Natural Resources (DCNR) grants.

Ms. Manion made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors authorize the Bike & Hike Committee apply for a grant to assist in funding the Shady Retreat/Limekiln/Sandy Ridge Road trail.

MOTION CARRIED 5 to 0.

F. Public Sewer Hookup – 24 Twin Oaks Drive

Mr. Snyder made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors approve Richard Giannini, Jr. of 24 Twin Oaks Drive be provided with a public sewer connection due to an existing failing on-lot system and have the Township submit the paperwork to the Department of Environmental Protection (DEP) on the resident's behalf.

MOTION CARRIED 5 to 0.

G. Zoning Hearing Board – S. Miekley, 70 Shady Grove Cr. – Request a Special Exception

The Doylestown Township Board of Supervisor agreed by consensus to forward Steve Miekley of 70 Shady Grove Circle request for a special exception to add an in-law suite to the Zoning Hearing Board, as per the recommendation of Ms. Mason.

H. Treasurers Report –August 15, 2017

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the August 15, 2017 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

I. Bills List - August15, 2017

Mr. Snyder made a MOTION; seconded by Ms. Touhill the Doylestown Township Board of Supervisors approve the August 15, 2017 Bill's List in the amount of \$427,234.94.

MOTION was ADOPTED 5 to 0.

**IX. ANNOUNCEMENTS**

The 2018 Budget Work Sessions will be held on August 23, 2017 at 4:00pm, Tuesday, September 19, 2017 immediately following the Board of Supervisors Regular meeting.

The Doylestown Township Board of Supervisors Regular meeting will be held on Tuesday, September 19, 2017 at 5:00pm.

The Bicentennial Committee meetings will be held on Tuesday, September 5, 2017 at 5:00pm and Tuesday, September 19, 2017 at 4:00pm.

**X. ADJOURNMENT**

Hearing no further business, the August 15, 2017 Doylestown Township Board of Supervisors Regular meeting was adjourned at 9:28pm.

Respectfully submitted by,

Stephanie J. Mason