



Board of Supervisors

Regular Meeting

425 Wells Road
Doylestown, PA 18901
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Twitter: @DoylestownTwp
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215-348-9915

~ Minutes ~

Tuesday, June 6, 2017

4:00 PM

Public Meeting Room

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

A. Pledge to the flag

Mrs. Lyons thanked the Bicentennial Committee for a productive meeting and showcased caps for sale to support the preparation of the 200th Doylestown Anniversary celebration scheduled in 2018. The cost of each cap is \$25.00.

B. Presentation – Police Sgt. Bryan Rose Retirement

Chief Logan honored Sergeant Bryan Rose with an overview of his 27 years of service. Sgt. Rose was hired in August of 1989 and promoted to Corporal in 2003. In 2013, he received an overwhelming recommendation from his peers to be promoted to Sergeant. Equal to his 27 years of service to the police department, Sergeant Rose is a member of the Emergency Management Service and an original member of the Central Bucks Response Team implemented in 1987. Sgt. Rose accompanied by his wife, Cheryl with her service as a canine handler for the Pennsylvania Wilderness Search and Rescue Team.

Chief Logan concluded by stating Sgt. Rose is truly a dedicated member of the Township and will be missed.

On behalf of the Board of Supervisors and Township, Mrs. Lyons presented Sergeant Rose with a plaque recognizing his 27 years of service to Doylestown Township Police Department and the Community.

C. Visitors/Public Comments

II. ANNOUNCEMENTS

A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, June 20, 2017 at 5:00 PM.

B. The Doylestown Township Board of Supervisors will hold a 2018 Budget Work Session on Tuesday, June 20, 2017 at 4:00 PM at the Municipal Building. Public is welcome to attend.

C. The Bicentennial Committee will meet on Tuesday, June 20, 2017 at 3:00 PM.

- D. The Central Park basketball courts will be closed for all uses effective June 1st due to construction of the new municipal complex and placement of temporary office space. Use of courts will be restored following project completion.
- E. 2017 Discount Park and Movie Tickets are available! To purchase tickets please contact the Administration Office.
- F. Thompson Performing Arts Series next concert Family DJ Dance Party will be held on Friday, June 16th starting at 6:30 pm at the Covenant Bank Amphitheater in Central Park. Admission is free.
- G. Leaf and Yard Waste Recycling – the 3rd Saturday of each month from 9AM – 11AM – Drop off site is located at the New Britain Rd. entrance of Central Park. Please visit our website for more information.
- H. The Environmental Advisory Council is holding a Magnet Fundraiser. Magnets are being sold in the Administration office for \$5.00.

III. MINUTES APPROVAL: May 2, 2017

Mr. Snyder made a MOTION; seconded by Ms. Manion the May 2, 2017 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 5 to 0.

IV. CORRESPONDENCES: N/A

Ms. Mason reported on the receipt of an email from Joseph D. Visco, dated June 5, 2017 requesting to resign his position as Auditor of Doylestown Township due to a move outside the Township. Ms. Mason then indicated; the next step will be to accept Mr. Visco's resignation and appoint a new Auditor within thirty (30) days.

Mr. Touhill made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors accept Joseph D. Visco resignation as Doylestown Township Auditor, effective today, June 6, 2017.

MOTION CARRIED 5 to 0.

Mrs. Lyons announced; applications to fill the vacancy of Doylestown Township Auditor are now being accepted with a starting date of within thirty (30) days. She then requested advertisement be placed to further announce the vacancy.

V. REPORTS

A. Solicitor

Mr. Garton submitted for Board consideration, a draft ordinance that will officially establish the Pebble Ridge \ Wood Ridge Sewer project. The Ordinance, reviewed by the Township's Manager; Stephanie Mason establishes the sewer project as being on parcels fronting certain portions of the road location on the first "Whereas" clause. The clause also identifies all affected parcel numbers.

The second "Whereas" clause identifies specifications to date, including the last revision date. The third clause reflects upon completion of the project, it will be turned over to the Bucks County Water & Sewer Authority (BCWSA) for connection. The fourth clause provides an estimate of cost from the Project

Engineer. However, it will not be considered a final number and can total less than estimated. The fifth clause reviews the best way to assess the cost as under an EDU basis for each property instead of a benefit or front foot assessment to be fair and equal to all properties. The sixth clause identifies the method to determine a cost of each individual property owner.

Section one (1) of the Ordinance establishes the project, fixes the parcels and indicates the project is in accordance with the plan prepared on January 1, 2015, last revised June 3, 2016. It also has been approved by the Department of Environmental Protection (DEP). Section two (2) of the ordinance indicates the cost will be completed under an EDU basis. Section three (3) establishes the methodology of the process. Upon completion, the cost will be established and the Township will add their costs. The cost will then be divided among the benefited properties and notification will be provided to each property owner. Section five (5) if payment is not received or if the plan is not entered into a mutually satisfied agreement, a lien process will begin. Section six (6) identifies the process if a connection fails or on lot system fails by the Board of Health or Township Engineer. Section seven (7) indicates the project does not include the assessment of the tap-in fees, which is the treatment capacity component of the project by the Bucks County Water & Sewer Authority (BCWSA). Section eight (8) officers of the Township are directed to take necessary steps to effectuate the ordinance. Section nine (9) Township officers have the right to change the ordinance deemed appropriate upon adoption. Section ten (10) Township can settle with property owners upon their choosing.

Mr. Garton concluded; the Ordinance is presented for advertising only and the Board will not be approving this evening. This will enable time for the public to submit their comments.

Mrs. Lyons reported; it's the intention of the Township to borrow funds from Penn Vest to complete the project. Upon settlement, a transfer of the loan will be scheduled to the Bucks County Water & Sewer Authority (BCWSA). The residents will be responsible to submit payment to the BCWSA. Mrs. Lyons questioned; should the process be referenced in the ordinance. Mr. Garton answered; no, the process is only an element of the financing of the project. It is not related to the project with regards to the construction of the lines. The Township always can process liens on properties. All liens will be transferred to the BCWSA as settlement as part of previous process.

Upon a discussion amongst Mrs. Lyons and Mr. Garton outlining the lien debit process, Mrs. Lyons questioned; will there be anything preventing the transferring of the obligation of debt. Mr. Garton answered; under a separate agreement, the Township will be transferring the project and assign all the liens and funds recovered from property owners to BCWSA. The borrowed funds will assist the residents in paying the costs.

Mr. Snyder questioned; when will the residents begin paying. Mr. Garton responded; upon completion of the project. Mr. Snyder questioned; if the residents do not pay towards their obligation, who will place the lien. Mr. Garton answered; the Township will place the lien and then assign the liens to the BCWSA. Mrs. Lyons commented; The Township should not borrow ten million dollars. Mr. Garton indicated a second agreement will outline Township's loan obligation. He then confirmed; the current ordinance only establishes the Pebble Ridge \ Wood Ridge Sewer project and when the final cost is determined, each property owner will know how much they must pay. If payment is not satisfied, the Township can assign liens to the BCWSA.

Mrs. Lyons questioned; should the ordinance note the Township will not incur the debit and should be the responsibility of the BCWSA. Mr. Garton responded; the note will be included under a separate agreement.

Mr. Colello made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the Ordinance Establishing the Pebble Ridge \ Wood Ridge Sewer Project be advertised following further discussion.

Mr. Snyder questioned; Why is an estimated cost noted and not an actual. Mrs. Lyons responded; there is a ten percent (10%) contingency. Ms. Mason added; the figure was provided by Gilmore & Associates. The figure is high, but the ordinance indicates an engineer's estimate. The cost estimate was submitted by BCWSA at over eight million. Mr. Snyder questioned; when will the actual cost be provided. Mr. Garton answered; upon receipt of a certification the project is complete, an actual cost of the project will be included with the Township's costs are added to determine the project cost.

Mr. Snyder questioned; is it by law the Township connects with BCWSA to construct the sewer project. Mr. Garton answered; there is a previous agreement with BCWSA, which states upon completion, the project is turned over to BCWSA. Construction can be completed as a public bid or have BCWSA complete.

Mr. Colello commented; the cost of the project is one issue. The completion of the project will include grants and agreements to reduce costs. This will also reduce costs of the resident's obligation. Mr. Colello referenced Section six and commented; the Board agreed last year to note when a resident sells their home, a certified environmental inspector is required to confirm the septic system is in working condition. If the system is failing, a connection to a public system will be required. He then suggested to adding a note to the ordinance. Mr. Garton questioned; should it be applied anywhere else in the Township. If so, the requirement should be incorporated into the ordinance that mandates periodic certifications. Mr. Colello suggested adding the language to the current ordinance, so the Board can consider for future ones. Upon the Board's consensus, Mr. Garton will update and advertise the current ordinance to include the amendment.

Upon Mr. Snyder question on what is the definition of a failing system, Mr. Garton suggested the amendment be added to state: a failing system will be considered under the standard definition of a failing system per the Department of Health. The Board agreed.

Mr. Garton added; all section indicating the township engineer will determine what is a failing system should be changed to the Department of Health standards. The Board agreed.

Mr. Colello AMENDED the MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the Ordinance Establishing the Pebble Ridge \ Wood Ridge Sewer Project be advertised and note; prior to any resident selling their home, certification will be required to show the current sewer system is in working order as per the Department of Health standards. Further, any system that cannot provide certification will be required to connect to a public sewer system.

MOTION was ADOPTED 5 to 0.

B. Police Chief

Chief Logan reported on the timeline of the capture of an escaped convict on Sunday, June 4, 2017 at 8:30pm. The escape began in Warrington County off Bristol Road. Once the escapee entered Doylestown Township, a reverse 911 and Shelter in place was implemented. The purpose of the shelter in place was not due to the violent nature of the escapee, but to assist in keeping residents indoors as the search ensued.

The shelter in place was lifted at 4:45am, Monday, June 5th. However, the Central Bucks School District made the decision to close schools. At 5:30am, the escapee was spotted at a 7\11 store. The father of the escapee was brought into custody at 6:00pm and charged. By 10:00pm, the father placed bail and was released.

On Tuesday morning, the escapee was spotted off County Line Road and apprehended at 12:44pm. Chief Logan noted; social media was helpful.

Ms. Manion congratulated the police department on a job well done and offered her services with the TAB Board to streamline the emergency alert process. Chief Logan suggested having someone other than the police department be assigned to submit alerts. Additionally, due to the Township's policy, there are very few personnel who can post alerts. Chief Logan suggested; there is nothing wrong with personnel stating at times "no information can be provided and updates will be presented as information is received".

C. Township Engineer

Mr. Canales reported; for the 2018 Renewal permit for the MS4 program, the individual permit application process has begun. Additionally, a permit check list was completed, the storm water sheds and outfall maps were updated to show all the location of outfalls as delineated by GHD Engineering. The names and location of surface waters and what outfalls they flow to have been shown. Municipal boundaries in organized areas and land uses have been indicated on maps. The storm water shed boundaries were calculated. Calculations for the Township existing pollutant loads as sediment, nutrients and phosphorus have been completed. The last major component, which hasn't begun is the Total Maximum Daily Load (TMDL) for sediment and pollution reduction plan for nutrients of the different water sheds. Areas include, Cooks Run, Pine Run, Mill Creek and Neshaminy Creek.

Due to time constraints and manpower, Mr. Canales has determined the plans cannot be completed by his office. For additional assistance, GHD Engineering is proposed to be hired due to their experience with the MS4 program for the last twelve years. GHD has submitted a proposal to complete the plans. The proposal reviews how the township will reduce the sediment loads flowing to the watersheds and to streams. The township has calculated the existing pollutant loads and the Neshaminy Creek has a TMDL that shows reduction of sediment in the Mill Creek and Pine Run watersheds. The township will have to reduce the sediment load by 58% along Pine Run's watershed over the life of the MS4 Plan. Cooks Run and Neshaminy Creek need to be reduced by 10%. The 10% is over a five-year period. The Department of Environmental Protection (DEP) will accept TMDL reduction at 10% over the next permit terms or five years.

Mr. Garton clarified; pollutants are not generated by the township government, but as an example by farmer's plowing fields and lawn fertilizers. Mr. Canales added; the main pollutant concern is sediment as erosion off construction sites and lawn areas, where no grass is located. With the existing pollutant loads, the township is close to three million pounds. Loads can be reduced by watershed requirements and other areas can be parceled out, because they flow directly into the stream. The main task of GHD Engineers is to find out how the township can reduce the sediment loads for the next five years and a cost estimate will be submitted.

The TMDL plans should be submitted as individual permit application by September 16, 2017. A public participation is also required, like ACT 537 procedures, where hard copies, website posting. Publishing and public meetings should be offered to receive comments for a minimal of 30 days. Public comments and their responses should be submitted to DEP with the application. DEP will allow time for comments at 45 days prior to the deadline of August 2, 2017. Mr. Canales provided a timeline as presenting a draft copy of the plan at the July 18, 2017 Board of Supervisors Regular meeting to receive authorization for advertisement of the final plan. A public meeting will be held on August 5, 2017 to receive public comment. One issue is the September Board meeting will fall after the deadline of September 16th. To resolve, a special meeting will need to be scheduled or miss the deadline, which is not recommended.

GHD submitted a revised proposal, which clarifies the understanding of needs and totals \$12,500.00 with additional costs. Mr. Canales reviewed the additional cost and determined additional mapping and review of the NPDES permit is not required.

Mr. Snyder questioned; if the township moves forward to reduce the list and manage loads, will there be a cost. Mr. Canales indicated yes. Mrs. Lyons questioned; if the proposal is reasonable. Mr. Canales indicated yes. Mr. Snyder questioned; how were the changes to reduce the watershed be implemented. Mr. Canales answered; the decision was part of a Neshaminy Creek TMDL plan study, which broke up 240 square miles into sub-watersheds in the late 1990s. Upon further calculations, it was determined each individual watershed can only tolerate a certain amount of sediment to remain healthy. All studies are mandated by the Environmental Protection Agency (EPA) to the DEP, who mandates to all municipalities. Mr. Snyder questioned; what will happen if municipalizes do not follow the requirements. Ms. Mason answered; townships will be fined upwards of \$10,000.00 per day.

Mr. Tomko requested clarification on the reference of a performed upon a cost-plus basis in accordance with GHD's current fee schedule and added, it should be noted as an addendum to the current contract with the township. If the cost is considered a standalone, a separate contract should be added. Mrs. Lyons confirmed; the township has GHD costs on file and noted; the cost can be capped at \$12,500.00.

Mr. Touhill made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve GHD Engineering Proposal for Professional Services with regards to the preparation of the PRP / TMDL Plan Associated with NPDES Permit of MS-4 project, not to exceed \$12,500.00 without further approval from the Board.

MOTION was ADOPTED 5 to 0.

D. Director of Operations

Mr. Tomko updated the Board of the on-going preparations of the Municipal Complex rebuilding plan as contracts were signed and a preconstruction meeting was conducted on June 1, 2017 regarding Phase 1. Construction is anticipated to begin late June or early July. Moving forward, parking restriction will be in place with notable signs and barricades posted. Additionally, handicap parking will be accessible.

Phase 2 is also moving forward with design development, architectural plans, mechanical and electrical plumbing, structural interior design and site work. Trailers will be installed on site beginning, Wednesday, June 7th and located along the existing basketball courts. Tennis courts will remain open, but have certain hours of operation.

Upon Mr. Snyder question, Mr. Tomko indicated move in dates for trailers is scheduled tentatively for July 14, 2017. Mrs. Lyons questioned; if the Bicentennial Committee can schedule a wrecking ball event near Labor Day. Mr. Tomko will check the schedule and provide an answer at a later time.

Hazardous Materials Inspection & Testing Proposal Award Recommendation

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisor award the Hazardous Materials & Testing proposal to The Vertex Companies, Inc. of Aston, PA in the amount of \$1,800.00.

MOTION was ADOPTED 5 to 0.

Fuel System and Tank Proposal

Mrs. Lyons questioned; if other bids were submitted. Mr. Tomko answered; the state of Pennsylvania no longer purchases fuel systems under the Costar contracts and the National Joint Power Alliance (NJPA) provides a greater purchasing power. Additionally, the amount was aligning to what the Pine Run construction was offering previously.

Mr. Snyder questioned; if the price includes the removal of existing tanks. Mr. Tomko answered; the removal of tanks will be under a separate site work contract.

Mr. Snyder made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors authorize the purchase of a new split 4,000-gallon gasoline and 2,000-gallon diesel, aboveground storage tank (AST) #EZ-6000FGUL 2085 Fireguard System and associated equipment, materials, monitoring systems and software from EZ Fuel Blue 1USA of Buford, GA in the amount of \$163,687.00.

MOTION was ADOPTED 5 to 0.

Fleet Maintenance Building - Backup Generator

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors authorize the purchase of a 60-kilowatt diesel fueled MTU Onsite Energy generator from Penn Power Systems of Philadelphia, PA in the amount of \$31,422.00, as part of the Costar purchasing program.

MOTION was ADOPTED 5 to 0.

E. Manager

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors authorize a fee reduction request to \$500.00 from \$1,000.00 from the Travis Manion Foundation to utilize Central Park from May 31st until June 1st or an alternative rain date in order to tape a Public Service Announcement (PSA).

MOTION CARRIED 4 to 1 with Ms. Manion abstaining due to her affiliation with the Foundation.

Defined Benefit Pension Funds

A cost averaging basis is utilized to pay towards the Municipal Minimum Obligation (MMO). Investments are normally made in the fall. However, the Ways & Means recommends payments are made under a quarterly basis.

The Doylestown Township Board of Supervisors agreed by consensus to have the Township move forward and begin investing the annual Municipal Minimum Obligation (MMO) on a quarterly basis and have the funds wired to the pension plan to speed up the process.

F. Supervisors

Mr. Touhill reported; the Environmental Advisory Committee (EAC) hosted a planting event on May 27th with 13 volunteers assisting with the planting of over 500 plants in the Native Gardens. Expansion of the Native Garden is underway and coordinated with the Park & Recreation Board. The next clean up event was held on June 4th from 9:00am until 11:00am.

The Recycling Event was well attended and currently waiting on a volume report.

Mr. Snyder reported; the Zoning Hearing Board granted the township variances in May with regards to the Municipal Building project.

The sub-committee of the Pension Committee recently held a meeting, which details the actuaries were defined. Mr. Snyder commended the Committee on a job well done.

Mr. Colello reported; there are still water meters yet to be replaced. No discounts will be provided and encouraged any resident who hasn't replaced their meters to date, to please do so.

He then congratulated Mr. Tomko on a job well done with the transition of becoming the Township's Director of Operations and getting many projects accomplished.

Mrs. Lyons agreed with Mr. Colello's comments and added; Mr. Tomko is completing a great job with the building plans and expansion. Along with Rick Schea, Mr. Tomko's professionalism and details are very impressive.

VI. UNFINISHED BUSINESS: N/A

VII. NEW BUSINESS

A. Eagle Scout Proclamation – Jose S. Donawald – Troop 24

Mr. Touhill made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors award the rank of Eagle Scout to Jose S. Donawald of Boy Scout Troop 24 at the May 27, 2017 Court of Honor Ceremony.

MOTION CARRIED 5 to 0.

B. Request to Hook Up to Public Sewers – 98 Shady Grove Circle

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors authorize Michael Mellor of 98 Shady Grove Circle receive an emergency hook up to a public sewer connection due to a failing septic system

MOTION CARRIED 5 to 0.

C. Land Development Letters of Extensions

1. Doylestown Hospital Amended Final

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve Doylestown Hospital request for a land development plan extension through July 19, 2017.

MOTION CARRIED 5 to 0.

2. Callan Tract Preliminary Subdivision

Mr. Snyder made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve David S. Callan of 2140 South Easton Road request for a land development plan 90 day extension with regards to the Callan Tract property.

MOTION CARRIED 5 to 0.

D. Audit Service Scope of Work– Major & Mastro, LLC

1. Municipal Recycling Program Grant

Mr. Snyder made a MOTION; seconded by Mr. Touhill the Doylestown Township Board of Supervisors approve Major & Mastro, LLC letters of intent to complete an audit of the Township's balance sheet for the Municipal Recycling Program and the related Statement of Contract Revenues and Expenditures. Further the Board approve Major & Mastro, LLC to audit the Balance Sheet of the Greenways, Trails and Recreation Program Grant Contract and related Statement of Contract Revenues and Expenditures.

MOTION was ADOPTED 5 to 0.

2. Greenways, Trails and Recreation Program Grant

E. Treasurer's Report – June 6, 2017

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve the June 6, 2017 Treasurer's Report.

MOTION was ADOPTED 5 to 0.

F. Bills List – June 6, 2017

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the June 6, 2017 Bill's List in the amount of \$12,911.03.

MOTION was ADOPTED 5 to 0.

VIII. ANNOUNCEMENTS

Central Park Basketball Courts will be closed. Tennis Courts will remain upon with limited access.

- A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, June 20, 2017 at 5:00 PM.
- B. The Doylestown Township Board of Supervisors will hold a 2018 Budget Work Session on Tuesday, June 20, 2017 at 4:00 PM at the Municipal Building. Public is welcome to attend.
- C. The Bicentennial Committee will meet on Tuesday, June 20, 2017 at 3:00 PM.
- D. The Central Park basketball courts will be closed for all uses effective June 1st due to construction of the new municipal complex and placement of temporary office space. Use of courts will be restored following project completion.
- E. 2017 Discount Park and Movie Tickets are available! To purchase tickets please contact the Administration Office.
- F. Thompson Performing Arts Series next concert Family DJ Dance Party will be held on Friday, June 16th starting at 6:30 pm at the Covenant Bank Amphitheater in Central Park. Admission is free.
- G. Leaf and Yard Waste Recycling – the 3rd Saturday of each month from 9AM – 11AM – Drop off site is located at the New Britain Rd. entrance of Central Park. Please visit our website for more information.

- H. The Environmental Advisory Council is holding a Magnet Fundraiser. Magnets are being sold in the Administration office for \$5.00.

IX. ADJOURNMENT

Hearing no further business, the June 6, 2017 Doylestown Township Board of Supervisors Regular meeting was adjourned at 5:19pm.

Respectfully submitted by

Stephanie J. Mason
Secretary