

Board of Supervisors
Minutes from
July 21st , 2009

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:05 p.m. on Tuesday, July 21, 2009 at the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Board of Supervisors in attendance included Chairman: Barbara N. Lyons, Vice Chairman: E. Thomas Scarborough, Jr., Supervisors: Barbara Eisenhardt, Cynthia Philo and Jeffrey Bennett. Others in attendance included Township Solicitor: Jeffrey P. Garton, Township Engineer: Mario Canales, Chief of Police: Stephen J. White, Director of Operations: Richard E. John, Township Manager: Stephanie J. Mason.

PLEDGE OF ALLEGIANCE

EXECUTIVE SESSION:

Mrs. Lyons apologized for beginning the meeting late. The previous Executive Session was held prior to the meeting to address personnel, litigation and open space matters.

The following items have come out of the Executive Session:

The first is the request of the Doylestown Township Municipal Authority to release its portion of the Bond proceeds, received by the Board at \$28,252.87.

Ms, Philo made a MOTION, seconded by Ms. Eisenhardt.

MOTION was ADOPTED 5 to 0.

The second item from the Executive Session was to schedule a Public Meeting regarding the traffic issue on Routes 263, 313, and Roads Rogers. The Board scheduled a meeting for Thursday, August 20, 2009 at 7:00 p.m. in the meeting room on Wells Road, Doylestown, PA, unless a larger facility is needed. A notice will be sent to remind the residents. Mr. Garton suggested a legal ad be placed in the newspaper, because it is a meeting of the Board of Supervisors. Ms. Eisenhardt suggested that once the date is confirmed a display advertisement should be added.

The Board confirmed Mr. Rick Schea as Acting Fire Marshall of Doylestown Township.

Mr. Scarborough made a MOTION, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

PRESENTATION

Proclamation presented to Mr. Allen McQuarrie from Doylestown Township on behalf of his work with Pro-Act.

The Board of Supervisors presented Mr. Allen McQuarrie with a proclamation dated July 21, 2009 from Doylestown Township on behalf of his work with Pro-ACT and Bucks County Council on Alcoholism and Drug Dependence.

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Traffic Advisory Committee Presentation

Traffic Advisory Chairman; Mark Shiner introduced Carol Shugers who began her presentation by thanking the Board in forming the Traffic Advisory committee four years ago.

Mrs. Shugers indicated the step in the process was the Board's previous approval of the Penn DOT Publication No. 383, known as the "Pennsylvania Traffic Calming Handbook" for the planning and implementation of traffic calming measures.

The first procedure includes a request of a study by the township's engineer on Sauerman Road in Doylestown, PA as the first project area. This study is to further explore the effect and impact traffic calming within the township. The second procedure is to conduct a neighborhood survey as part of the traffic study. The study is to be distributed to residents within the project area upon the Board's review, endorsement and approval.

Mrs. Lyons requested more time to review the report and speak with the Board of her concerns over cost that may not be in 2009 budget, or perhaps included in next year's budget.

Ms. Philo interjected by stating the Traffic Committee may have additional low or no cost options to in the implementation of the traffic calming project.

A discussion ensued on whether to postpone approval on Traffic Calming survey upon Board's review prior to submitting to the residents.

Ms. Eisenhardt MOTIONED to approve the survey process, seconded by Ms. Philo.

MOTION FAILED 2 to 3.

Mr. Bennett MOTIONED to approve the idea of sending the survey upon the review and worked

out by the Board, seconded by Mr. Scarborough.

MOTION was ADOPTED 4 to 1

Resident; John Everett of Turk Road asked why the Traffic Committee chose Sauerman Road to begin their survey. Police Chief White answered the question by stating that over years of discussion, Sauerman Road has a unique residential pattern of homes facing the roadway and vehicle speed being a problem and it was an excellent location to begin of "many great areas" for the survey.

VISITOR/PUBLIC COMMENTS: None

ANNOUNCEMENTS:

Mrs. Lyons announced that the Board of Supervisors will **not** meet on August 4, 2009. The next Board of Supervisor meeting is scheduled for August 18, 2009 at 7:00 p.m. The Department of Environmental Protection will hold a Public Meeting to discuss the Cross Keys water contamination on July 30, 2009 at 7:00 p.m. at 425 Wells Road, Doylestown, PA. The Board of Supervisor will be holding a Public Meeting on August 20, 2009, at 7:00 p.m., placed TO BE ANNOUNCED, regarding the Traffic issues in the southeastern corner of the Furlong area.

MINUTES APPROVAL:

Ms. Eisenhardt corrected page five, under the "Supervisor" heading. Ms. Eisenhardt requested that presentations made at the Senior Summit on Aging meetings be video taped and be made available to share with other organizations.

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt to approve the July 16, 2009 minutes with amendment.

MOTION was ADOPTED 4 to 1 with Mr. Bennett abstaining.

CORRESPONDENCE

T-Mobile's request to place a cell tower

Ms. Lyons advised the public with additional correspondence regarding an application to install a cell tower on the corner of Routes 263 and 313 on the Grasso property. As per a letter from David Shafkowitz, attorney for Grasso, dated July 21, 2009, it indicated there were no plans to install a cell tower on the property. Mr. Garton added according to the Township's Zoning Ordinance, prior to an application being supplied to the construct a cell tower; you must first determine the land is not township owned or unsuitable. The Board will only acknowledge these letters, but will not act on the request.

Ms. Philo suggested that Mr. Shaftkowitz's letter of July 21, 2009 be attached to the Board's minutes for the August 20, 2009, Supervisor's meeting. The Board decided to send a letter to T-Mobile indicating there is no intension to install a cell tower.

Ms. Lyons also informed the public of the interest in placing a second cell tower on Sauerman Park by Liberty Tower, LLC. The Board discussed and decided there is no interest in placing a cell tower on Sauerman Park.

Ms. Philo made a MOTION, seconded by Mr. Scarborough.

MOTION was ADOPTED 5 to 0

Resignation of John J. McCarron

Mrs. Lyons with regret announced the resignation of John J. McCarron from the Doylestown Township and Recreation Board.

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt to accept Mr. McCarron's resignation with regret.

REPORTS:

SOLICITOR: No report

POLICE CHIEF:

As per the request of the Board, Police Chief White requested information on the in-service times for Chalfont Ambulance. Police Chief White was advised by the County Department of Health that the data listed on their website were incorrect due to CAD data terminals having problems. However, he was informed the in-service times were up from 2008. He was further advised by the County Department of Health Supervisor will have one of their employees contact Chief White with an accurate percentage. Police Chief White will update the Board at the next Supervisor meeting.

Chief White reported that former Sergeant Brad Zartman, after six months, will graduate from the Federal Bureau of Investigation Academy on August 5, 2009. He will now be stationed in Newark, New Jersey.

TOWNSHIP ENGINEER: No report

TOWNSHIP MANAGER:

PA Conservation Works

Ms. Mason requested to apply for the Pennsylvania Conservation Works grant in order to replace the heating and cooling system in the Township Building. The current heating and cooling systems were installed in the 1960's. Ms. Mason explained that the new system will be highly efficient in order to increase the Township's energy and save dollars. Ms. Mason has been soliciting quotes and information. Ms. Mason added that there will be a match required but will not be budgeted until 2010.

Mr. Scarborough MOTIONED to move forward with the grant, seconded by Ms. Philo.

Ms. Philo questioned the match required. Township's Special Project Manager Sandra Zadell, approached Ms. Philo and answered her question by stating the match is not required, but will increase the Township's chance to receive the grant. Ms. Zadell further informed the Board that with the 5% match, the cost of the new heating and cooling system will be approximately \$190,000.00. Ms. Zadell also added the new systems will save over 25% in energy cost for the future.

MOTION was ADOPTED 5 to 0.

SUPERVISORS:

Ms. Philo reminded the Board of two issues that have been mentioned in tonight's agenda.

Ms. Philo wanted to follow up on her suggestion for a motion the Township send out bids for all professional services every year. In order to view all available and best priced proposals in the best interest of the Township. Ms. Philo added that various township such as Middletown and Upper Marion Township follow similar procedures.

Ms. Philo made a MOTION that the Township Manager prepare a draft request for proposals for the Board's review and consideration for the following positions. The MOTION was seconded by Ms. Eisenhardt.

- Township Solicitor and Engineer
- Conflict Engineer and Solicitor
- Bond and Labor Counsel
- Traffic Engineer

The draft resolution proposal should include the minimal qualifications for each position involved. Ms. Philo added the proposal should begin now in order to prepare for December. This will enable the Board to prepare for the reorganization meeting.

Mr. Bennett questioned the timing of Ms. Philo's motion due the current year of 2009 only having a few months. Mr. Bennett suggested to revisit Ms. Philo's motioned in the fall in order to have more the discussion to be part of the budget process. Ms. Philo respectfully disagreed.

Mr. Bennett made a MOTION to table the draft resolution request for the fall, in order to incorporate into the 2010 budget, seconded by Mr. Scarborough.

Ms. Eisenhardt informed Mr. Bennett that in previous Reorganizational Meetings in regards to RFPs, the Board mentioned to begin in June or July in order to have time to review these proposals so an educated decision can be made in time for the reorganizational meetings. Ms. Eisenhardt added there would be very little time to prepare for the Reorganization Meeting in December, if the draft resolution begins in the fall.

MOTION to table draft resolution for RFPs was ADOPTED 3 to 2 with Ms. Philo and Ms. Eisenhardt voting nay.

Joe O'Malley of Roger's Road suggested the Board table the discussion for a specific date.

Ms. Philo's second issue was regarding several committees that may have numerous positions available at the end of the year. Ms. Philo further suggested the Board begin to advertise through a public notice of these positions to begin the interview process instead of automatically renewing these positions.

Upon a discussion by the Board to determine the motion be provided to the public on two occasions, all available, board and commission positions. These positions will be appointed by the

Board for consideration to secure levels of interest by the residences. Once received, the Board will structure an interview process based upon the level of interest.

Ms. Eisenhardt, suggested the advertisement not only be included in the block ads, but also the Township's website and government access channel advertisements.

Ms. Mason asked the Board if they would like a specific deadline application date. September 15th was suggested. The Board agreed to begin the first application process in late August, second in early September in order to schedule interviews by November.

The consensus of the Board was to follow this procedure to solicit candidates for Boards and Committees.

Ms. Philo made a MOTION seconded by Ms. Eisenhardt to schedule a specific date for the discussion on RFP's at the August 18, 2009 Board of Supervisor's meeting.

MOTION FAILED 2 to 3 with Mr. Bennett, Ms. Lyons and Mr. Scarborough voting nay.

Mr. Scarborough wanted to commend the Fourth of July Fireworks Group for their display on July 5, 2009. The event was well planned and well attended. Mr. Scarborough added that he received a tremendous amount of positive feedback.

Mr. Bennett also thanked the residents and Township's Park and Recreation and Performing Arts Committee for making the Fourth of July event so successful. Mr. Bennett also wanted to thank everyone who participated in the Township's Golf outing.

Ms. Lyons informed the public that Doylestown Borough will be paving the following roads...

- July 22, 2009 at 5:30am, West Oakland Avenue between Washington and South West Street
- July 23, 2009 at 5:30am, Meadows Lane from Green Street to Clemens Road
- July 24, 2009 at 5:30am, Clemens Road from Green Street to Meadows Lane

UNFINISHED BUSINESS:

Land Development for Schiefer Lot Line Change

Ms. Mason informed the Board of a request to extend the land development plan to December 31, 2009.

Ms. Lyons made a MOTION to approve, seconded by Ms. Philo

MOTION was ADOPTED 5 to 0.

Thompson Organization Land Development

Ms. Mason informed the Board of a request to extend the land development to September 30,

2009.

Ms. Eisenhardt made a MOTION, seconded by Mr. Scarborough

MOTION was ADOPTED 5 to 0

Wind Energy Ordinance

Ms. Lyons introduced the proposed wind energy ordinance for review after revisions by the Planning Commission and motioned to authorize the advertisement. Ms. Lyons informed the public of a letter sent by Resident: Mr. Joseph Paternostro and asked him to address concerns.

Mr. Paternostro stated that upon his review of the ordinance, it seemed to include all of the points he had previously suggested. However, he had two additional concerns about the proposed ordinance. His first concern was the ordinance restricted a wind energy system such that it could not be located 300 feet from the street line. Mr. Pasternostro recommended it should read 100 feet from the street line or 100 feet from an electrical pole is avoid crossing over to a neighbor's property.

Mr. Pasternostro's second concern was the fact the ordinance did not include wind turbines connected directly to a home. The turbines are 16 feet from bottom to top and the props are 7 feet in length. Mr. Paternostro suggested the Board consider that the wind turbines are similar to a television dish as to their connection to a home.

Ms. Mason explained to Mr. Pasternostro the issue should be dealt with by Q & R. Ms. Mason also mentioned the Bucks County Planning Commissions commented the 300 feet street line limitations is a compromise of competing concerns.

Mr. Garton suggested, perhaps, the ordinance should state the location must be at least 100 feet from the street line, but no closer than the front of the residential home. He also suggested, perhaps, the ordinance when advertised contain options.

Ms. Philo made a MOTION to advertise the Wind Energy Ordinance with the additional language showing an alternative set back, seconded by Mr. Bennett.

MOTION was ADOPTED 5 to 0.

Township Building ADA Compliance Project - Parking lot Expansion

Director of Operation; Mr. Richard E. John explained the Public Works Department has been successful in getting the Township building in compliance with ADA specifications for handicap accessibility.

Now the building parking lot has to be level with the curb line. Because of last fall's budget, the curb line project was not entered. Mr. John is requesting funds to pave the parking lot and bring up to curb line. Mr. John estimated the parking lot paving to be at \$55,000.00.

Mr. John also requests to use the Park Improvement Fund in order to extend the parking lot to accommodate the Activity Center for the 2010 Budget.

Ms. Eisenhardt asked if part of the funds for the ADA Compliance could come from the Community Block Development Grant. Mr. John answered by stating that all of the funds have been used to complete the handicap accessibility. Ms. Mason informed the Board that the Township is no longer allocated such funds but is in a pool for funding.

Ms. Philo questioned the materials for the paving. Other materials will enable the Township to become more environmental conscious in order to apply for a grant. Mr. John answered the current materials are milled and black top is placed on top, but added he would consider using recycled materials.

Ms. Lyons MOTION to approve the paving of the Township's building parking lot to be level with the curb line, seconded by Mr. Bennett.

MOTION was ADOPTED 5 to 0.

Records Retention Resolution

Ms. Mason informed the Board that Township's Administrative Assistant, Jackie Rowland prepared a Resolution.

Ms. Eisenhardt made a MOTION, seconded by Mr. Scarborough to approved Resolution No. 1475 Record Retention and Disposal.

MOTION was ADOPTED 5 to 0.

TRESURER'S REPORT

Mr. Scarborough made a MOTION to approve Treasurer's Report, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

BILL'S LIST

Ms. Philo questioned Ms. Mason to clarify the Knightly Networks, Inc. on page 9. Ms. Mason explained the company is the consulting firm for the Township's computers systems.

Ms. Philo questioned Ms. Mason to clarify the designation of over time for snow and ice. Ms. Mason explained the overtime is for current work, it's just categorized this way.

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt.

MOTION was ADOPTED 5 to 0.

ANNOUNCEMENTS:

Ms. Lyons reminded the public that the Board of Supervisors will **not** meet on August 4, 2009. The next Board of Supervisors meeting is August 18, 2009 at 7:00 p.m. The Department of Environmental Protection will hold their meeting, regarding Cross Keys water contamination on July 30, 2009 at 7:00 p.m.

The Rogers Road, Route 263 / 313 traffic will be held on August 20, 2009, at 7:00 p.m. Stand by

for location.

ADJOURNMENT: 8:05P.M.

Respectfully submitted,

Stephanie J. Mason, Secretary.