



Board of Supervisors

Regular Meeting

~ Minutes ~

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

Stephanie Mason
215-348-9915

Tuesday, November 15, 2011

7:00 PM

Public Meeting Room

I. **7:00 PM REGULAR MEETING** – In attendance: Chairman Barbara N. Lyons, Vice Chairman Richard F. Colello; Member E. Thomas Scarborough, Jr.; Member Cynthia M. Philo; Solicitor Jeffrey Garton, Twp. Engineer Mario Canales, Lt. Dean Logan. Absent: Member Barbara Eisenhardt; Chief of Police Stephen White.

A. Pledge to the flag

B. Visitors/Public Comments

Communication Relations Director for Colonial Heritage Mobile Home Park, Doylestown: Ken Kilpatrick respectfully requested the Board consider rescheduling the November 17th, Heritage Mobile Home Park meeting until after the Thanksgiving holiday.

Mr. Kilpatrick is unable to attend the meeting and would like either he or a representative from Colonial Heritage meet with the supervisors prior to discuss their relationship with the township. He believes there are several misunderstandings and misconceptions from both sides that need to be addressed in order to move forward and coexist.

Mrs. Lyons responded letters have been sent to residents and there isn't enough time to change. In addition, representatives from Senator Charles T. McIlhinney's office, Department of Environmental Protection and Bucks County Health Department are scheduled to attend. Mrs. Lyons welcomed Mr. Kilpatrick to attend either a special meeting of the Board or regular meeting to openly discuss their concerns. She then suggested having another representative attend the November 17th meeting. Mr. Kilpatrick indicated his office cannot prepare for the meeting with limited notice and offered his services in contacting all parties involved of the new meeting date.

The Board agreed to have Mr. Kilpatrick contact Ms. Mason the morning of November 19th to confirm that his offices can notify all involved of the meeting postponement and new meeting date. Mr. Garton suggested the distributed letters be signed by the Township Manager. The Board agreed.

Resident; Joseph Paternostro of 39 Houk Road, Doylestown reported the recent snow storm caused a significant power surge in his neighborhood, which burned out several electrical meters. Many residents, including senior citizens were stranded for 48 hours. Mr. Paternostro suggested the Board consider coordinating with the Central Bucks YMCA and Doylestown Hospital to create a temporary shelter for similar emergency situations, such as the original emergency room at Doylestown Hospital that is currently not being used.

Mr. Paternostro's second comment was for the 2012 Doylestown Township Budget, instead of another tax increase or employment cuts, the Board consider the resident's ideas to save money. He then provided a idea to lay off two township employees in order to save approximately \$75,000.00 or drop the \$75,000.00 insurance premiums currently received by the Board.

Resident; David Bauer of 1514 Lower State Road, Doylestown voiced his concerns with his tax dollars assisting in paying health care to non-employees, especially those with dependent care. He suggested grand fathering existing employees with healthcare and have new hires pay for dependent coverage. He then asked for Board's comment. No comment from the Board was heard.

C. Presentations –

1. Friends of Doylestown Dog Park

Co-Chairperson of the Friends of Doylestown Dog Park; Kathy Brown proudly reported the Committee has met all goals towards establishing the dog park at Turk Park III. She then requested Board approval to move forward to begin construction. While presenting slides of the Updated Business Plan from November 2011, Ms. Brown reported on the status and improvements since their last presentation in March of 2011.

Design: The basic design of the park remains the same with some minor changes to the walkway, gate areas, landscaping and the fence line around the proposed pavilion. The shape of the pavilion has also changed from a square shape to a hexagon. Finally, some components in phase three were entered into Phase one, such as the off leash area to maximize the benefits of the natural topography.

Budget: the budget goal of \$174,234.00 has been reached due to community support and desire to establish a dog park. This will enable the committee to pay for the park. To date, \$75,775.00 received in kind donations and 75 bricks have been sold. In the future, fundraising will continue with the addition of selling memory bricks to honor dogs and humans, as well as two fund raising events for the maintenance fund.

Registration of each dog will require current license, documentation of current vaccinations and owner information. All registration fees will go towards the maintenance and operating fund. Once fees are paid, an orientation class is required that will include professional dog trainers to explain what is expected in proper etiquette and use of the park. Access key will only be issued to participants who complete the orientation and paid fees.

Management: Once a \$10,000.00 Escrow Maintenance Fund is established from registration fees, ownership will be dedicated to the township for operation and maintenance.

Advisory Board: The Board will consist of Doylestown Borough and Township residents, members of the Friends of Doylestown Dog Park, township staff and a Board of Supervisor liaison. Along with the Park and Recreation Board, the Advisory Board will be in charge of raising funds towards improving the park.

Ms. Brown concluded by stating the Dog Park committee are very proud of their hard work and it has been rewarding to be a part of something that is community based.

Mrs. Lyons thanked the Dog Park Committee, Karen Sweeney, Richard John, Stephanie Mason and Jeffrey Garton for their participation, assistance and efforts. Upon providing an overview of the agreement, she added details are needed to be worked out regarding the collection of membership fees and clarified the registration fees will not cover improvements to the park.

Mrs. Lyons made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors approve the Friends of Doylestown Township Dog Park move forward with the construction of a dog park located at Turk Park III.

Mr. Scarborough commended the committee on doing everything the Board asked and not placing any burden on the taxpayers by raising funds on their own.

Resident; Joe O'Malley of 138 Rogers Road questioned what is the liability for an aggressive dog that may place harm to another dog or owner. Ms. Brown answered; as part of the registration, all participants are to sign a release of liability form. Mr. Garton added the township insurance will provide coverage, but the incremental costs will come out of the funds.

Resident; Joe Paternostro questioned who will be responsible for the absorption of maintenance costs if fundraising is not successful within a two to four year period. Mrs. Lyons responded their is always a risk the fundraising measures may not be successful. However, their is assurance a waiting list for registration is substantial. Mr. Pasternostro then questioned what is the basic amount required for the maintenance fund to upkeep the park. Mrs. Lyons answered; a \$10,000.00 fund will be established for the first year. After that a quarterly amount will be determined upon requirements to maintain the park. Mr. Pasternostro final question was how much will the registration cost. Ms. Brown answered; an annual fee of approximately, \$40.00 will be requested and the anticipation is a minimal of 500 annual registrants.

MOTION was ADOPTED 4 to 0.

2. Joseph O'Malley – Planning Commission

Resident; Joe O'Malley reported on October 24, 2011 the Doylestown Township Planning Commission held an open meeting regarding the York, Swamp and Rogers Road Development at Lenape Middle School. Several of the commission, township staff and Board representatives were not in attendance, therefore Mr. O'Malley provided a resident prospective of what transpired. Close to 100 residents were in attendance, where the Township Manager advised the review of the plans were ready and offered to the public. With only four days noticed, many of the residents were prepared to hear the results.

Mr. O'Malley commented the applicants and township were poorly prepared. With the applicant's traffic engineer was not present, as well as the Planning Commission Chairperson; George Lowenstein, township engineer and traffic engineer, the residents were unable to hear about storm water management, woodlands, buffers, cell phone tower and traffic management. Only bits and pieces of information was provided. Mr. O'Malley questioned shouldn't all township representatives be required to attend meetings of this nature, especially if taxpayers monies are used to fund their services. If representatives don't attend these meetings, they should be backed charged from the firms they work for.

Mr. O'Malley voiced his concerns of what he feels is township's practice of bad behavior by conducting non public meetings with applicants, even after Mrs. Lyons asked no meetings are to be held while litigations are going on. Private meetings were confirmed by the applicant and Ms. Stern Goldstein during the planning commission meeting. If the Grasso Group's plans are approved, it will lead to additional traffic on Rogers Road. Traffic that includes a variety of trucks threatening the poor site lines and narrowness of the road, causing a dangerous situation. He also found it suspect that Temple Judea did not have representation present at the meeting, if safety is paramount. Indicating, Temple Judea received prior noticed the meeting would not be relative to them or a deal has been struck with the township, developer and Temple Judea regarding the traffic light. Also, the developer informed him, they would have been happy to extend the meeting date to provide more time for preparations, but was not asked by the township. Mr. O'Malley concluded by stating the lies and bias has to stop against the people that he is fighting for the safety and welfare of. He is scheduled to present his concerns to the Central Bucks School District.

Public Comments:

Resident; Ellen Eckman of Colonial Heritage, Doylestown requested the Board consider keeping the date of the Colonial Heritage Mobile Home meeting as November 17th. Many of the residents took the day off to attend and people from New Britain Borough and Township were expected to attend. Mr. Kilpatrick's office had eight years to prepare and if the residents can schedule their time within four days, his office should expected to do the same. Mrs. Lyons apologized for the inconvenience, but stated in order to resolve the issues in the best interest of the residents, it is important Mr. Kilpatrick attend. New Britain Borough representatives are scheduled to attend and Mr. Kilpatrick's office has taken responsibility to ensure everyone is notified of the new meeting date once it's scheduled.

President of Temple Judea; Jerel Wohl clarified for the record, he has no insider information and receives

meeting notices via mail as any other residents. Temple Judea is also very concerned for the well being and safety of their children and looks forward in serving the community.

II. ANNOUNCEMENTS

- A. The next meeting of the Board of Supervisors is scheduled for Tuesday, December 6, 2011
- B. B. The Board of Supervisors Special Meeting regarding Colonial Heritage has been canceled for Thursday, November 17, 2011 at 4:00pm. A new date will follow.
- C. Doylestown Township Municipal Building will be closed on Thursday, November 24th and Friday, November 25th for Thanksgiving.
- D. Leaf and Yard Waste Recycling – December 10th, Central Park. - Doylestown Residents Only.
- E. Doylestown Food Pantry – Donations being accepted at the Doylestown Twp. Administration offices and AB-8 Waste Solutions, 350 S. Main St., Ste. 112, Doylestown, now until Nov. 18th.

III. MINUTES APPROVAL – Budget Work Session – November 4, 2011

Mr. Scarborough made a MOTION; seconded by Mr. Colello the November 4, 2011 Doylestown Township Budget Work Session minutes be approve with the following corrections...

Page 3 - Should read "Mrs. Lyons commented that certainly cutting into the moral of the employees is a concern"

MOTION was ADOPTED 3 to 1 with Ms. Philo abstaining due to her absence.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the October 21, 2011 Doylestown Township Budget Work Session minutes be approve.

MOTION was ADOPTED 4 to 0.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the October 18, 2011 Doylestown Township Board of Supervisors Regular meeting minutes be approve.

MOTION was ADOPTED 3 to 1 with Mrs. Lyons abstaining due to her absence.

The October 6, 2011 Doylestown Township Road Inspection minutes were tabled due to the incorrect vote entered at the October 18, 2011 Board of Supervisors Regular meeting.

IV. REPORTS

- A. Solicitor
No Report
- B. Police Chief
No Report
- C. Township Engineer

No Report

D. Manager

No Report

E. Supervisors - Colonial Heritage Update – B. Lyons

Mrs. Lyons - No Report

Ms. Philo congratulated the Friends of Doylestown Dog Park on approval to build the dog park.

Mr. Colello reported on various openings are available for Boards and Commissions and encouraged anyone interested to apply. Mr. Lyons added, applications will be accepted in January of 2012.

Mr. Scarborough thanked the Roads Department on a great job clearing the roads from the recent snow storms.

V. PUBLIC HEARING

A. Proposed Ordinance - Outdoor Furnaces

Township Planning Consultant; Judy Stern Goldstein could not be present for the December 6, 2011 Public Hearing regarding the Proposed Outdoor Furnaces Ordinance, but is prepared to provide a brief overview at tonight's meeting.

The Board agreed by consensus to table the public hearing for the Proposed Outdoor Furnaces Ordinance until December 20, 2011, so that Ms. Stern Goldstein may attend.

VI. NEW BUSINESS

A. Budget Presentation

Doylestown Township Revised 2011 Budget

Ms. Mason reported the Revised 2011 Budget contains, 10.25 mills, Revenues of \$10,417,453, Expenses of \$10,277,394 and a Fund Balance of \$4,455,666.

Mr. Scarborough made MOTION; Ms. Philo the Doylestown Township Board of Supervisors approve the 2011 Revised Budget.

MOTION was ADOPTED 4 to 0.

Doylestown Township Preliminary 2012 Budget

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the 2012 Preliminary Budget for the purpose of discussion.

Ms. Mason reported the 2012 Preliminary Budget has been prepared with no tax increase, millage will be remain at 10.25, Revenues of \$10,843,029, Expenses of \$10,685,592 and a Fund Balance of \$3,876,781. Other highlights includes, no real estate tax increase, no staff or service cuts, a pension smoothing options has been selected for the MMO and has been offset by state aid at \$226,439. A zero wage increase has been incorporated into the budget for non-uniform. A percentage has been set aside for the police depending upon the outcome from arbitration. A reduction shows in the medical plan costs, saving the

township \$65,000. Employee contributions to the pension will continue at 5% and contributions to medical at 1%. Reallocation to the millage from the debt service at 1.25 mils has been moved from the General Fund. Total debt service for 2012 is \$706,970, debt service millage rate is from .75% in 2011 to 2 mils in 2012. Capital Expenditures will be paid with existing reserves, Loan balances and transfers from the General Fund. Total Expenditures for 2012 is \$877,603, down from 2011 of 1.3%. Implications from beyond 2012 will continue to look at Capital Expenditure, Funding for 2012 and 2013 and examine the tax millage allocations each year.

Mr. Garton added as a Preliminary Budget only, it will be advertised and available for public review. The Board will be adopting a final budget before the end of the calendar year, but they cannot change the preliminary budget by more than 25% in the aggregate and 10% for any major line items.

Resident; Lee Schwarz of 189 Sunset View Drive asked for a repeat of the revenue and expense figures. Upon Ms. Mason repeating the figures, Mr. Schwarz indicated the figures were substantially higher than the figures he required a few days ago. Ms. Mason responded the figures were provided to her this morning.

Ms. Philo indicated she will agree to provide her vote to approve the budget, if the Board considers dropping their health insurance and only accept a salary to provide a cost of living wage increase to the township employees.

Mr. Scarborough disagrees with suppling a wage increase to township staff for 2012. He feels the township needs to hunker down to insure the township stays healthy and keep a fund balance.

MOTION was ADOPTED 3 to 1, with Ms. Philo voting nay.

Resident; Mr. Paternostro agreed with Ms. Philo comments and is against providing non-uniform employees a pay raise. Only police should receive a pay raise, since they serve and protect township residents.

B. Resolutions – FEMA Relief Reimbursements

Ms. Philo made a MOTION; seconded by Mr. Scarborough, the Doylestown Township Board of Supervisors authorize Stephanie J. Mason designation in order to obtain federal funding for Hurricane Irene from the Federal Emergency Management Act (FEMA) under the laws of the Commonwealth of Pennsylvania.

MOTION was ADOPTED 4 to 0.

Mr. Scarborough made a MOTION; seconded by Ms. Philo, the Doylestown Township Board of Supervisors authorize Stephanie J. Mason designation in order to obtain federal funding for Hurricane Lee from the Federal Emergency Management Act (FEMA) under the laws of the Commonwealth of Pennsylvania.

MOTION was ADOPTED 4 to 0.

C. Eagle Scout Proclamations - James E. Cappelli – Troop 24 and Cole Nunan Rushworth – Troop 6

Mr. Scarborough made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors approve member of Boy Scout Troop 24, James E. Cappelli be awarded rank of Eagle Scout at the Eagle Scout Court of Honor on November 26, 2011 and

Member of Boy Scout Troop 6, Cole Nunan Rushworth be awarded rank of Eagle Scout at the Eagle Scout Court of Honor on December 17, 2011

MOTION was ADOPTED 4 to 0.

D. Street Hierarchy

Ms. Judy Stern Goldstein reported on the proposed changes to the Subdivision Land Development Ordinance (SALDO) and the Comprehensive Plan based upon the recommendation of the Doylestown Township Planning Commission. The Street Hierarchy ordinance will change from the current Hierarchy of arterial, collectors, sub collectors and residential access. The new criteria are in the form of original arterial, community arterial, community collectors, neighborhood collectors and local roads. The extra criteria was added, because some streets in the township function as neighborhood collectors that channel traffic into certain roads that then lead into larger collectors. These larger collectors then lead into community arterial and regional arterial.

Ms. Stern Goldstein then referenced the Draft Street Hierarchy Zoning Ordinance Amendment in her November 9, 2011 memo, which provides consistency to get the new hierarchy language throughout the ordinance. The SALDO language is also substantially consistent to get the new hierarchy language out through planning requirements and changes to some streets and road standards. It will add sidewalks multi use and pedestrian / bike trails instead of only sidewalks for larger roads. Road width requirements are also changed to keep consistency. Finally a draft amendment resolution is proposed to the comprehensive plan, because the Street Hierarchy is currently included.

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the Township Solicitor prepare the Proposed Street Hierarchy Ordinance for advertisement.

MOTION was ADOPTED 4 to 0

E. Snow Removal & Ice Control Bid

Mr. Scarborough made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors award the Snow Removal and Ice Control 2011 / 2012 Snow Season Bid for Snow Equipment Rental with operators to the following companies...

Hartman Landscape Nursery - Trucks one, two and three @ \$140.00 ph
3801 Stump Road
Doylestown, PA 18902

Old Puppy Dog Landscape Corporation -Truck One @ \$149.50 per hour
1918 Old Bethlehem Pike
Sellersville, PA

Visual Technology Services, Inc. - Truck @ \$85.00 per hour
82 Annawanda Road
Ottsville, PA 18942

MOTION was ADOPTED 4 to 0.

F. Zoning Hearing Board Application –1330 Pebble Hill Rd, Appeal and Request a Variance

The Board agreed by consensus to forward Nouroldin & Donna Tabatabai of 1330 Pebble Hill Road, Doylestown request for variance to construct a second driveway to the Zoning Hearing Board.

G. Temple Judea Development and Escrow Agreements

Mr. Scarborough made a MOTION; seconded by Ms. Philo the Doylestown Township Board of Supervisors approve the Development Escrow Agreement between Temple Judea and Doylestown

Township.

MOTION was ADOPTED 4 to 0.

Resident; James Bingler of Turkey Lane, Furlong questioned whether it has been determined if the township will take over road frontage. Mr. Garton responded; it is noted in the agreement the frontage will be reserved until what is determined across the street and is consistent with the final land development plan approval. He then asked if a dollar figure has been calculated. Mr. Garton answered; the issue is still open and will need to be resolved by the payment of cash or inclusion of the road.

H. Treasurer’s Report – November 15, 2011

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the November 15, 2011 Treasurer's Report.

MOTION was ADOPTED 4 to 0.

I. Bills List – November 1, 2011 and November 15, 2011

Mr. Scarborough made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors approve the November 1, 2011 Bill's List in the amount of \$369,797.57 and the November 15, 2011 Bill's List in the amount of \$147,990.62.

MOTION was ADOPTED 4 to 0.

VII. ANNOUNCEMENTS

The Board agreed by consensus to cancel the December 6, 2011 Regular Meeting of the Doylestown Township Board of Supervisors.

VIII. ADJOURNMENT

Respectfully submitted by,

Stephanie J. Mason, Secretary