

DOYLESTOWN TOWNSHIP BOARD OF SUPERVISORS

REGULAR MEETING

May 4, 2010

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:00 p.m. on Tuesday, May 4, 2010 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 Richard F. Colello. Others in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Richard E. John, Township Solicitor; Jeffery P. Garton, Chief of Police; Stephen J. White and Township Engineer; Mario Canales

PLEDGE OF ALLEGIANCE

VISITORS/PUBLIC COMMENTS:

Resident; Margaret K. Calvanese of 13 Cornerstone Court requested the Board's assistance to stop the Edison Quarry from recycling concrete. For the past year, the quarry has been recycling concrete at all hours of the day and creates a disturbance and dust along Doylestown Station to Kutz Elementary school. Upon additional research, Mrs. Calvanese found this particular concrete dust may cause a disease called Silicosis. Ms. Mason indicated as per her conversation with DEP Division of Mining; Amy Bolinger, unfortunately as part of Edison Quarry's reclamation they need to fill the quarry, which will take a number of years.

Ms. Lyons requested Mrs. Calvanese schedule a meeting with Edison Quarry and Township staff to find a resolution, then report back to the Board.

Mrs. Calvanese then confirmed with Chief White, if the residents should call the police if after hour mining occurs. Ms. Philo added the residents should call for documentation purposes.

PRESENTATIONS/COMMENDATIONS: Citizen's Commendation – Debbie Pileggi, Karen & Ed Mullaney

Police Chief White presented Debbie Pileggi, Karen and Ed Mullaney of Doylestown Tennis Club, a Citizen's Commendation for their prompt actions and purchase of an Automatic External Defibrillator (AED). On May 28, 2008, tennis club member, Mr. William Barber suffered a cardiac emergency where Ms. Pileggi quickly used the AED defibrillator, purchased by club owners Mr. & Mrs. Mullaney, and provided time for paramedics and Corporal Chris Power to respond and save Mr. Barber's life.

EXECUTIVE SESSION:

Ms. Lyons announced that the Board met in Execution Session, prior to the meeting, to discuss matters of personnel.

Citizenship Community BSA Badges

Mrs. Lyons introduced Boy Scouts; Christopher Van Allen and Haden Hotham and commended them on earning their Citizenship in Community badges.

VISITORS/PUBLIC COMMENTS:

Resident; Phillip E Luers of 31 Cornerstone Court would like the Board to investigate, other issues such as, possible lead paint and petroleum products included in the recycling and contamination of the Neshaminy Creek. Mr. Luers then suggested the Board orders the quarry shut down temporality until a resolution can be found.

ANNOUNCEMENTS:

The next meeting of the Board of Supervisors is scheduled for Tuesday, June 1, 2010 at 7:00 p.m.

The Township Administrative offices will be closed on Tuesday, May 18, 2010 for Primary Election Day.

Phillies Home Run Derby will be held on Thursday, May 20, 2010 at Turk Park, beginning at 4:30 p.m. and ending at Dusk. Pre-registration is required. Contact the Township Administration Office for details.

The Township Administration offices will be closed on Monday, May 31, 2010 in observance of Memorial Day.

Doylestown Township Annual Golf Outing will be held on Monday, June 7, 2010 beginning at 9:00 a.m., at the Doylestown Country Club.

Application deadline is close of business day, Friday, May 7, 2010 for Performing Arts Committee, Uniform Construction Code Committee and Planning Commission vacancies.

MINUTES APPROVAL:

Mr. Scarborough made a MOTION to approve the April 12, 2010, Board of Supervisors Meeting minutes, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0

CORRESPONDENCE: None

REPORTS

SOLICITOR: No Report

TOWNSHIP ENGINEER: No Report

POLICE CHIEF: Regionalization – Letter of Intent

Chief White informed the public for several months Doylestown Township has been in discussions with Warwick Township, Doylestown Borough, New Britain Borough and New Britain Township to perform a study for regionalization of all four townships, due in part of the scheduled retirements of several police chiefs within two years, including Chief White.

Ms. Philo made a MOTION to approve the letter of intent and request the Department of Community & Economic Development perform a study and provide their recommendations to the four community representatives, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Radio Control Airplanes – Safety Concern

Chief White requested the Board of Supervisors rescind the flying of model airplanes around Turk Park III, due to four (4) recent plane crashes. Three on the Men's Community Rehab Center and one on the grounds of a county office building near Route 611. As per an agreement between the Township and the Warminster Glenside RC Club, Inc., dated April 3, 2000, Section 2 and 6, these planes were not flown within the air space defined and flew beyond the permitted space. Therefore, Chief White concluded that with the four crashes and the clubs' failure to comply with the agreement, their license should be revoked and the field closed.

Mrs. Lyons asked if a roster of members from the Warminster Club can be provided. Chief White agreed to provide a roster.

Mr. Scarborough commented that he believes the Warminster Glenside RC Club should be given a second chance and continue to allow them to fly the planes once they have addressed the issues and provide a plan for a safe and secure flying.

Mrs. Eisenhardt suggested the club locate to another suitable space for flying, due to her concern with safety or possible deaths around the growing population in the township.

Ms. Philo questioned how non-members can be controlled and avoids planes flying off designated area. Ms. Philo then suggested the agreement be re-written and updated. Mrs. Lyons responded by stating the agreement was defined on the purpose of responsibility solely on the club and not expose the township to liabilities and therefore supports the recommendation of Chief White.

Resident; Norman Stanton, of Chalfont, indicated the current Warrington quarry is a beautiful place to fly planes with plenty of room and a previous request to put a fence was denied. Mr. Stanton also stated the newspaper article's facts were inaccurate and exaggerated.

Resident; Jim Black of Edison Furlong stated although he is not a member, the club has been a long standing assets to the community and is looking forward to the Board providing leadership and not follow with Chief White's recommendation to close the field. Mr. Black noted it's more dangerous driving on Route 611 then flying a model airplane and if the field is closed there is nothing that will prevent a non-member from flying a model airplane. Mr. Black concluded by stating little league baseball recorded 29,037 injuries and within a ten year period the RC club has recorded no injuries or property damage. Mr. Black believes the township would like to close the field for the purpose of a dog park. Mrs. Lyons responded by indicating there was a possibility of placing a dog park at this location, both uses are intended to coexist, but its not scheduled at this time. Mr. Colello reminded Mr. Black the club agreed to keep non-members from flying their planes on the field as per the agreement.

Secretary of the Warminster Glenside RC Club; Anthony DeSoto of 639 Neshaminy Avenue, Warrington noted with internet model plane purchases, it's very difficult to monitor the air field. The internet sites and new packages state to find a large airfield and many times stopped non-members to inform them on the procedures of flying a model aircraft and the club. Unless there is someone on the field 24 hours, it's very difficult to maintain and keep non-members from flying model airplanes.

President of the Warminster Glenside RC Club; Joseph Hudak of 99 Durham Road, Pottsville provided a brief history of the club and packet for the Board's review. Mr. Hudak concluded by stating the groups are not a bunch of wild irresponsible cowboys, but actually is given a key to a local bank for their club meetings.

Treasurer of the Warminster Glenside RC Club; Jack Feir of 19 Pine Circle supported Mr. Hudak's statements by adding although the club signed an agreement with the township and has a \$1.5 million insurance plan, the club has never asked for financial assistance and with their own funds have provided fresh stone, cut grass and purchased sod for the area. Actually 80% of the budget is used to watch the field for non-members. Mr. Feir informed the Board that although the club abides by all safety code, it's very difficult for a beginner to sometimes control the plane when flying for the first time. Mr. Feir concluded by stating the club does not deny the four crashes happened, but feels it's unfair to be penalized when only one crash was a member's fault and if the field is closed there will be no one to watch for future crashes that may be serious.

Mr. Colello asked if there are consequences to the club member who violated the rules of the agreement. Mr. Feir answered; the member in question offered to resign, but the club felt it would be beneficial to create an action plan to tighten boundaries within the 1,750 feet currently required.

Mr. Feir requested the Board strike a balance and cut the club a little break. Even though sometimes bad things happen, people do their best to abide by the rules. In 67 years no one has ever needed to use the insurance provided to the township and the risk of flying a model aircraft is slim. Mr. Feir suggested rather than close the field, a compromise, such as limited members or installing a gate with a combination lock be agreed upon instead.

Mr. Colello made a MOTION to support Chief Stephen White's recommendation to terminate the April 3, 2000 agreement between the Township and Warminster Glenside RC Club, seconded by Mrs. Eisenhardt with comments.

MOTION was ADOPTED 3 to 2 with Ms. Philo and Mr. Scarborough voting nay.

Mrs. Eisenhardt made a MOTION although the Board has decided to null and void the April 3, 2000 agreement between the Township and Warminster Glenside RC Club, the Board agrees to possibly negotiate a new agreement or contract with different terms to provide the Township with more control and safety provisions, seconded by Mr. Colello.

MOTION was ADOPTED 5 to 0.

Mr. Hudak asked how soon the new contract will be drafted. Mrs. Lyons indicated they would consider conversation about a new contract as soon as possible, but not by this spring.

Ms. Philo asked if any flying will be allowed in any Township parks. Chief White answered; no flying of any kind will be permitted in any township park.

Ice Cream Vendors

Ms. Philo made a MOTION as per the proposal of Chief of Police; Stephen J. White a \$600.00 Park Fee, in addition to the solicitation fee, payable to the Township by Ice Cream Vendors soliciting the parks for cleaning maintenance, seconded by Mrs. Eisenhardt.

Ms. Philo questioned if the \$600.00 fee would be enough to cover annoyance and cleaning costs. Mr. Garton suggested a month to month permit for less than the entire season, with requirements that lists no loud music or any annoying factors or the vendor permit will not be renewed.

MOTION was ADOPTED 5 to 0.

TOWNSHIP MANAGER: Training request – Ken Wallace

The Board agreed by consensus to approve Finance Director; Ken Wallace's request to attend the PICPA Local Government Conference with an overnight stay for professional development purposes.

SUPERVISORS:

Mrs. Eisenhardt requested the Board work on providing a solution for the residents on Cornerstone Court and their issues with Edison Quarry, even if it means temporarily shutting the quarry.

Mr. Scarborough stated on the April 24th Arbor Day, a total of 60 trees were planted and he was very impressed with six young ladies from the Central Bucks Key Club who worked very hard. He also announced Rick and Barbara Lyons will be honored with a Good Citizens Award on May 14, 2010 at the Water Wheel Restaurant by the Bucks County Boy Scouts of America.

Mr. Colello attended the Touch a Truck event on May 1st and had a great time. He also announced the Traffic Advisory Commission has completed phase 1 of the Sauerman Road project.

Ms. Philo announced Chairman of the Traffic Advisory Committee; Mr. Mark Shiner will attend the June 1, 2010, Board of Supervisors meeting to speak on behalf of a traffic calming study for Sauerman Road. She also informed the Board, upon a letter from a concerned resident; PennDot checked the weight capacity of the Lower State Road Bridge due to the Route 202 Parkway construction and found it to be stable.

Mrs. Lyons informed the public, after attending a recent Pennsylvania Association of Township Supervisors (PSATS) meeting, Doylestown Township is in 80% compliance with the 2010 Census. The 20% of residents who did not complete the census will be visited by a numerator. Ms. Lyons stressed a %100 compliance will bring more money in for the township.

Mrs. Lyons made a MOTION to have the Board authorize appraisals for a portion of a trail off Pebble Hill Road for open space purposes on the Azar and Rex properties and a trail along the Ripley property for acquisition for conservation easement or purchase using the funds from the Open Space County Referendum, seconded by Mr. Colello.

Ms. Philo questioned if any costs would be incurred for appraisals. Mr. Garton answered; the cost will be approximately \$1,500.00 to \$2,000.00 and reimbursed from contributions from the county's general funds.

MOTION was ADOPTED 5 to 0.

UNFINISHED BUSINESS:

Furlong Area Traffic Engineering Study

Mrs. Lyons informed the public the township received eight (8) proposals to perform a traffic study. Pennoni & Associates recommended that Hydrick and Klein Associates met all of the criteria of the RFP and had the lowest cost.

Mrs. Eisenhardt questioned why such a large range between the bidding amounts. Mrs. Eisenhardt then noted the higher bids offer a sub-consultant. Mr. Tomko, from Pennoni & Associates, confirmed the higher bids do include a sub-consultant with reimbursable costs.

Ms. Lyons indicated there was NO ACTION required at this time..

Neamand/White Eagle Labs – Project Update/Request for Historic Designation

Mr. Garton explained to the Board, since March the Neamond Tract Development Plan made several presentations regarding their request for a redevelopment plan and non-conforming multi-use of the commercial facilities.

Recently the attorney for Neamand Tract; Mr. Edward Murphy met with the Planning Commission and neighbors near the tract, the result of the public meeting was favorable. Mr. Murphy then met with the Bucks County Water and Sewer Authority where it was determine 18 EQUIVALENT DWELLING UNIT (EDU) will be needed in order to continue, to date only 5 EDUs are registered for a total of 13 needed for public sewer. However, it has been confirmed capacity exists for a public sewer access from Kings Plaza to the Green Street Water plant upon preliminary land development plan approval.

Additionally, a survey was completed by Jeff Marshall of Heritage Conversancy highlighting the farm house be considered for historical resource. Mr. Murphy then requested the Board's approval to designate the farmhouse as part of the historical resource list and map, per resolution.

Mr. Colello asked to clarify the plan by right. Mr. Murphy answered; as per the township ordinance for B15, a maximum of 75,000 square feet is required for warehouse and office space. The Neamand Tract is providing north of 32,000 square feet of office and warehouse space.

The Board agreed by consensus to forward the request for historical resource to the Planning Commission, where the Board of Supervisors will review by resolution upon recommendation by the Planning Commission.

NEW BUSINESS:

TD Bank – Corporate Authorization Resolution

Mrs. Eisenhardt made a MOTION approve the Corporate Authorization Resolution, seconded by Mr. Scarborough.

MOTION was ADOPTED 5 to 0.

Trail Maintenance Agreement – Heritage Gateway Bike Trail

Mrs. Eisenhardt made a MOTION to approve the 611 trail Maintenance Agreement with PennDOT the Heritage Gateway trail goes to Kutz Elementary School, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

Various Forms of Concrete Bid – 2010/2011

Mrs. Eisenhardt made a MOTION to approve the Concrete Bid for Curbing by Ettore Ventresca & Sons, Inc. per the recommendation of Richard John dated 4/29/10, seconded by Mr. Scarborough.

MOTION was ADOPTED 5 to 0.

DTMA – Plumbing Fee Waiver Request for the Cross Keys Water Service District

Mr. Scarborough made a MOTION to approve the fee waiver for the Cross Keys Water Service District in the amount of \$3,000.00, seconded Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Zoning Hearing Board Application – New Apostolic Church

The Board agreed by consensus to forward the New Apostolic Church's request for variance is forwarded to the Zoning Hearing Board.

COMMENTS:

Resident; Kenneth L. Davis of 49 Charter Oak Court asked for the Board's assistance in stopping the high noise and dust produced by the Edison Quarry. Mr. Davis realized the quarry has a historic right to recycling the concrete, but informed the Board there have been numerous complaints and would appreciate a positive resolution.

Resident; Mary Lou Streznewski; wanted to let the Board know how much she enjoyed the Touch a Truck event and questioned the status of the Temple Judea breaking ground and if there is a window for development. Mr. Garton answered; there have been no request for development agreements and they have five years from the preliminary plan approval.

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ADJOURNMENT: 8:47 p.m.

Respectfully submitted by

Stephanie J. Mason, Secretary