

Board of Supervisors Minutes from

September 15, 2009

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:00 p.m. on Tuesday, September 15, 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 Engineer: Mario Canales; Chief of Police: Stephen J. White, Director of Operations: Richard E. John; Township Manager: Stephanie J. Mason.

Absent: Township Solicitor; Jeffery P. Garton. In Mr. Garton's absence, Solicitor, Doug Maloney

PLEDGE OF ALLEGIANCE

APPOINTMENT AND SWEARING IN OF POLICE OFFICERS:

Chief White recommended Timothy M. Reihl and Anthony H. Breslau to be appointed as police officers for Doylestown Township.

Ms. Philo made a MOTION to appoint Mr. Reihl and Mr. Breslau as police officers, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Judge Daly swore in Timothy M. Reihl and Anthony H. Breslau as police officers for Doylestown Township as their families watched.

EXECUTIVE SESSION:

Ms. Lyons indicated that the Board held an Executive Session prior to this meeting and addressed matters of litigation.

PRESENTATION:

Mr. Michael McCreery informed the Board of two issues concerning the Oktoberfest Committee regarding the event for the next two years. The first issue is after adjustments were made with fundraising and entry fees, Oktoberfest 2008 revenues was up 7% from 2007, but the event still lost \$4,000.00. The committee recommends the Board consider the following changes to be made in order to decrease costs:

Eliminating Sundays as part of the event due to low attendance

Only use one well known band and more local bands in order to gear the focus towards tweens and teens, which most of the revenue comes from.

Utilize Oktoberfest volunteers instead of Township employees to eliminate overtime cost.

Mr. McCreery's second issue is within two years the 202 Parkway project will interfere with the location of Oktoberfest. Mr. McCreery proposed the Oktoberfest and Performing Arts committees coordinate by incorporating with the Township's Fourth of July event. Mr. McCreery suggested by adding several self contained events, such as a 10k race, showcasing local business who will provide free services, and local bands. This will enable Oktoberfest to be a much smaller event to minimize and control expenses.

Ms. Philo had several questions, such as, how many attended the 2008 Oktoberfest?, what would be the process of conjoining each event and would the event gear towards families and not just tweens and teens? Mr. McCreery answered Ms. Philo's questions by stating that the attendance was approximately 12,000 in 2007, Oktoberfest would cover their expenses by continuing parking fees, adding a goal of a \$10,000.00 fundraiser and requesting each vendor pay an individual permit fee in order to offset costs. Mr. McCreery answered Ms. Philo final question by stating that he considered both groups with the proposal presented. Ms. Philo concluded by stating with a previous \$4,000.00 lost, the township's revenue must be greater or brake even.

Mrs. Eisenhardt questioned if the committee will continue with amusement rides, due to a significant revenue from teenagers and what the proceeds would be. Ms. Karen Sweeney, Director of Parks and Recreation, answered Mrs. Eisenhardt's question by stating the total revenue from rides were \$74,322.00 with a 75/25 split between the committee and ride vendor. This will provide the committee with a balance of \$25,000.00. Mr. McCreery added by stating the ride vendor cannot provide rides for one day and the proposal is to provide other alternatives. Ms. Eisenhardt also suggested the Fourth of July event should not be on the 4th, due to high cost of fireworks. Ms. Sweeney informed the Board that the Fourth of July event normally is scheduled either before or after the 4th.

Mr. McCreery concluded by stating if the Board agrees to change Oktoberfest to a two day event, with the changes suggested by the committee, it will be profitable.

PUBLIC COMMENTS:

Resident: Mr. Bill Lahr wanted to thank Director of Operations; Mr. Richard John for a wonderful job cleaning up debris along the unnamed tributary in Doylestown Estates due to large amount of rain from August 1st and 2nd. Ms. Eisenhardt wondered the status of the Conservancy planting. Mr. Lahr answered by stating 50% of the plantings are still there and held up very well from the storms.

ANNOUNCEMENTS:

The next meeting of the Board of Supervisors is scheduled for Tuesday, October 6, 2009 at 7:00 p.m.. Township Road Inspections will be held on October 6, 2009 at 4:00 P.M..

The World Wide Day of Play will be held on Saturday, September 26, 2009 from 10:30am to 4:00pm and sponsored by the No Child left Inside Coalition. Rain date is Sunday, September 27, 2009.

Board of Supervisors will hold a Special meeting regarding Route 263 / Route 313 and Rogers Road, concerned traffic areas on Wednesday, September 30, 2009, beginning at 7:00p.m., located at the Lenape Middle School.

First Annual Hidden Treasures Community Yard Sale will be held at Central Park on Saturday, October 3, 2009 from 8:30a.m. to 2:00p.m. Registration fee is \$15.00 and must be self contained.

Monday, October 5, 2009 at 7:00p.m.a meeting regarding a proposed Dog Park will be held at Lenape Middle School.

MINUTES APPROVAL:

Minutes of August 18, 2009; Mr. Scarborough made a MOTION to approve, seconded by Mr. Bennett pending one amendment on page 2 “Motion adopted 4-0-1”.

MOTION was ADOPTED 5 to 0.

Minutes of July 21, 2009; Mr. Scarborough made a MOTION to approve, seconded by Ms. Philo pending amendments on page 3 regarding the sharing of videos of special presentations at the Senior Summit meeting with other organizations.

MOTION was ADOPTED 5 to 0.

Resignation of Mr. David W. Blois

Mrs. Lyons with regrets announced the resignation of David W. Blois from the Doylestown Township Public Water and Sewer Advisory Committee.

Mr. Scarborough made a MOTION, seconded by Ms. Philo to accept Mr. Blois’s resignation with regret.

MOTION was ADOPTED 5 to 0.

TOWNSHIP SOLICITOR: No Report

TOWNSHIP ENGINEER: No Report

TOWNSHIP MANAGER:

PEDA Grant application for the Solar Energy Generation, Education and Research Grant.

Ms. Mason informed the Board the Township's application for funding for the Solar Energy Generation, Education and Research study with Delaware Valley College, was not selected due to several competitive situations.

Bucks County Transportation Improvement Plan

Ms. Mason presented the Board with a letter from the Pennoni Associates, Inc, with their recommendations for the 2011 Transportation Improvement Plan with the following roads.

Lower State Road and Wells Road for Intersection improvements

Lower State Road for Safety and Geometric Improvements

Easton Road and South Main Street for Traffic Calming and Enhancements

Route 202, State Street and Butler Avenue for Closed Loop Traffic Signals System

Mrs. Lyons asked Ms. Mason if the road improvements recommendations for Wells Road and Lower State Road intersection could include a bike and hike trail from Route 202 to Delaware Valley College. Ms. Mason answered the question by stating the plans does not include the bike and hike trail, but will add to the recommendation.

Mrs. Eisenhardt asked if the 202 Parkway Project will be clearly defined by Penn Dot and included with the Wells Road and Lower State Road intersection improvement plan. Ms. Mason answered her question by stating the 202 Parkway project is included and defined with Delaware Valley College's Transportation Improvement Plan.

Mrs. Eisenhardt also questioned if the 202 Parkway Project will have an impact on the Wells Road and Lower State Roads intersection project being approved based upon the completion of the Parkway. Ms. Mason answered her question by stating that both improvement projects can be independent of one another and will not have an impact.

Ms. Philo made a MOTION, seconded by Mrs. Eisenhardt to accept recommendations by Pennoni, Inc. regarding the 2011 Road Improvement project.

MOTION was ADOPTED, 5 to 0.

SUPERVISORS:

Mrs. Eisenhardt

Mrs. Eisenhardt asked Chief White what the percentage status of time Chalfont Ambulance has for their in service emergency calls time compared to their out service time.

Chief White answered Mrs. Eisenhardt's question by stating Chalfont Ambulance does not have a specific percentage due to different procedures on a case by case basis, but added there is no way to determine an exact percentage, Chalfont feels the percentage is better.

Mrs. Eisenhardt questioned if Chalfont has a legal implication to accept the ambulance tax designated to three Corps if they are not using 100% of that money. Mr. Maloney could not answer Mrs. Eisenhardt's question, but informed her that he will pass the question on to the Township's Solicitor, Mr. Garton. Chief White stated there is 100% of ambulance service to the public. Mrs. Eisenhardt suggested that the Board explore a resolution be passed so that one township's ambulance squad receive the tax for other townships.

Mr. Scarborough

Mr. Scarborough would like to thank the Road Department on doing a great job with flooding issue on Sauerman Road. Chief White agreed with Mr. Scarborough by stating the Road Department hooked up a generator to a resident's home who was in need of oxygen, when a down tree knocked out electricity in that area.

Mr. Bennett No Report

Ms. Philo No Report

Police Chief No Report

Mrs. Lyons

Mr. Lyons asked the Board to review the Major and Mastro audit. If they have any concerns to please contact the Township's Finance Officer, Mr. Wightman.

Mrs. Lyons suggested the Board consider creating an annual 'Unsung Hero Award' to recognize a resident who goes above and beyond contributing to the township. The funds can be privately raised and have the award presented to the recipient, so they may decide how to utilize. Ms. Lyons then suggested a brick be placed in their honor at the Volunteer and Community Service Veterans Memorial.

Ms. Philo suggested this award be presented at the Fourth of July event. Mr. Scarborough suggested a committee be formed to work out details.

Mrs. Lyons made a MOTION to create an "Unsung Hero Awards" and present it to a well deserved Doylestown resident, seconded by Mr. Scarborough.

MOTION was ADOPTED, 5 to 0.

UNFINISHED BUSINESS

Water Project – Status Report Cross Keys

Mr. John informed the Board the Department of Environmental Protection has been offered state funding grant from the Hazardous Sites Cleanup Act, in the amount of two million dollars to provide water line service to the Cross Keys area of Plumstead, Doylestown and Buckingham Townships in order to mitigate the water contamination. In order to finalize the receipt of these funds, Mr. John stated the Department of Environmental Protection held a hearing and is currently available to receive any questions regarding this act until September 21, 2009 via email. Mr. John recommends the following items in order to secure the grant.

Intermunicipal Agreement with Plumstead Township

The funding is to assist Doylestown, Buckingham and Plumstead townships with their relationship to the Cross Keys water contamination area. As the lead agency to receive these grants, Doylestown Township is required to complete several tasks. Mr. John requested the Board to approve the intermunicipal agreement with DTMA and Plumstead townships. Currently an agreement with Buckingham Township is still in negotiations.

Mrs. Eisenhardt had several questions regarding the status of the Department of Environmental department requirements for Township's water line installations. Mrs. Eisenhardt suggested the Board view the DEP requirements for water line installations and incorporated it with Doylestown water line ordinance in order to compliment one another. Mrs. Eisenhardt then questioned Mr. John on who has the authority to install the public water lines. Mr. John answered by stating the authority is of the Township in the present case.

A discussion ensued between the Board regarding the procedure on how to determine which properties are selected to receive public water hook ups and what department will make the final decision and if these requirements are stated in the DTMA Projects and Ordinance Needs.

Ms. Philo made a MOTION to approve an intermunicipal agreement between DTMA and Plumstead Township, seconded by Mr. Scarborough.

MOTION was ADOPTED, 5 to 0.

Site Specific Mandatory Connection

Mr. John recommends based upon the DTMA's experience, that connecting to water on a specific site, such as the Cross Keys and Furlong areas is the best method to use to protect the public health and welfare of the residents. Mr. John requests the Board to adopt a site specific mandatory connection ordinance for Cross Keys.

Mr. Bennett asked Mr. John if individual notices will be sent to the residents along the Cross Keys area notifying them the ordinance. Mr. John agreed.

Mr. Scarborough made a MOTION to approve the advertising for site specific , mandatory water connection ordinance for Cross Keys Water Service District in Doylestown Township and to notify home owners of the affected area in the consideration of the ordinance, seconded by Mr. Bennett.

MOTION was ADOPTED 5 to 0.

#206, Chapter 172, Wells, Article I

Mr. John recommended to the Board the following two items be added in the Well Abandonment Ordinance #206 in order to clean up ordinance.

172 - 1, Section D (Conditions): The well water is near or within a contaminated cone of influence as determined by the Municipal Authority, or its Engineer.

172 - 2, (Exemption): and not used as a potable water source.

172 - 3, Section A (Sealing Requirements): All landowners whose well is ordered to be abandoned and sealed shall prior to abandonment and sealing, be connected to a public water systems if available, in such a way that all rules and regulations of the Authority as well as the governing plumbing codes of a municipality are met for such connections.

Ms. Philo made a MOTION to approve the advertising of an amendment to ordinance #206 as recommended by Director of Operation, Mr. Richard John, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED, 5 to 0.

NEW BUSINESS:

Heritage Conservancy Historic Preservation

Ms. Lynn Dolinger requested the approval of the Board to apply for a Bucks County Community Development Grant. Ms. Dolinger informed the Board the \$26,500.00 Community Development Grant will be applied to the restoration of the a wall that is adjacent to the Aldie Mansion's patio. The wall is a public safety concern due in part the patio is use primarily by patrons. The patrons tend to lean on the wall. Ms. Dolinger added the repairs to the wall has not happened since 1927, and there will be no cost to Doylestown Township. Ms. Dolinger also stated that their application will not interfere with any other applications for the Community Development Block Grant. Ms. Dolinger informed the Board, they would need to review the grant prior to submission. Ms. Philo questioned Ms. Dolinger on the total cost of the preservation. Ms. Mason answered the question by stating that Ms. Dolinger will present a detailed report to the Township.

Ms. Dolinger presented the Board with an amendment to the application by stating a local permit is needed to repair the wall prior to receiving the grant. This will add an additional \$3,600.00 to the grant request application for a total of \$29,650.00.

Mrs. Eisenhardt made a MOTION to approve Heritage Conservancy request to apply for a Bucks County Community Development Block grant in the amount of \$29,650.00, seconded by Mr. Bennett.

MOTION was ADOPTED 4-0-1 with Mr. Scarborough abstaining due to his association with the Bucks County Development Block Board.

Community Development Block Grant

Mrs. Lyons voiced her concerns for the visually and hearing impaired residents at Grundy and Neshamany Manor and asked the Board to approve an application for a Bucks County Community Development Block Grant in order to provide an upgrade to the existing traffic signal located at Easton Road and Prison Drive. The upgrade is to add an audible pedestrian warning devise, such as a chirping sound when a traffic signal is changed. The cost for this change would be \$34,000.00.

Ms. Philo added that in any case the audible warning device is a benefit, due to the area being extremely dangerous for any pedestrian to cross.

Resident; Mr. Lahr asked if the crosswalk could include a timer. Mrs. Lyons answered the timer will be added if cost is included.

Mr. Bennett made a MOTION to request a Bucks County Community Development Grant to upgrade the existing traffic signal located at Easton Road and Prison Drive to add an audible pedestrian warning device, seconded by Ms. Philo.

MOTION was ADOPTED, 4-0-1 with Mr. Scarborough abstaining due to his association with the Bucks County Community Development Grant Board.

PennDot Lower State Road Bridge Improvements

Mrs. Lyons informed the Board that PennDot has offered Doylestown Township the sum of \$3,200.00 to provide just compensation for all of the property interests for the temporary construction easement right-of-way required at the west side of Lower State Road in regards to the transportation improvement.

Mrs. Eisenhardt MOTIONED to approve the Chairman execute the documents in regards to the transportation improvement at Lower State Road by PennDOT, seconded by Mr. Bennett.

MOTION was ADOPTED 5 to 0.

Land Development: Schiefer Lot Line Change at 107 S. Shady Retreat Road

Engineer, Mr. Mark Hintenlang, representing Mr. and Mrs. Ted Schiefer in regards to their request for a lot line change on their property at 107 S. Shady Retreat Road. Mr. Hintenlang informed the Board that Mr. and Mrs. Schiefer would like to purchase the 2.4 acre lot located behind their residence from Mr. and Mr. Lubin. The Lubin's agreed to sell property.

Mr. Hintenlang reviewed his waiver request letter of May 13, 2009. The waiver request asked for relief from the Doylestown Township subdivision and land development ordinance for each waiver request provided. The request asked for consideration be provided to locations of wells, tree locations, storm water management, landscaping and lighting. The waiver requests is to give the Schiefers to add right of way of 13 feet.

Mr. and Mrs. Schiefer expressed their frustration with the lot line change by requesting the Board to make a decision, due to the exhaustion of funds because of the project.

Mr. Hintenlang then reviewed the documentation from Pickering, Corts & Summerson, Inc. and Boucher & James, Inc. from October 2008 to May 5, 2009, in response to their recommendations for the requested waivers. Mr. Hintenlang informed the Board that his clients will comply with the following:

1. Compliance with the Pickering, Corts & Summerson report dated May 5, 2009 with the understanding that the Board of Supervisors granted the waivers identified on pages 2 and 3 of the Pickering, Corts & Summerson report. No fee in lieu was required to be paid as a condition of the grant of the waivers;
2. The Applicant shall offer and the Township has agreed to accept the dedication of the ultimate right-of-way along Shady Retreat Road with the understanding that the Deed of conveyance shall be in a form acceptable to the Township Solicitor;
3. Compliance with the Bucks County Planning Commission review dated 10/30/08;

4. Compliance with the Boucher & James, Inc. letter dated 5/4/09;
5. Compliance with the decision rendered by the Doylestown Township Zoning Hearing Board on August 27, 2009;
6. Receipt of all permits and approvals required from any agencies having jurisdiction over the matter;
7. Applicant to pay all fees and expenses incurred by the Township in connection with the Application including engineering, planning and legal services; and
8. Applicant to record contemporaneously with the recording of the mylars, Deeds of Consolidation such that the portion of Tax Parcel 9-8-21 to be added to Tax Parcel 9-8-20 is reflected in a Deed of Consolidation and does not remain a separate parcel.

Mr. Scarborough made a MOTION to approve the Scheifer Lot Line Change with the conditions set forth above, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0

OLD BUSINESS:

Thompson Development - Preliminary / Final Land Development Plan

Mr. Scarborough made a MOTION to extend the Thompson Land Development to October 30, 2009 under the Pennsylvania Municipalities Planning code, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Planning Modules for Temple Judea on Rodgers Road

Mrs. Lyons made a MOTION to approve the proposed planning module to be sent to the Dept. of Environmental Protection for land development for Temple Judea, seconded by Mr. Scarborough.

MOTION was ADOPTED 4-0-1 with Mr. Bennett abstaining.

CPSI Recertification - Request for training

Mrs. Lyons informed the Board that Karen Sweeney, Director of Parks and Recreations, is requesting training certification. Ms. Philo clarified the approval is for a separate training than previously approved.

Ms. Philo made a MOTION to approve the training for CPSI recertification training, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

Zoning Hearing Board - Doylestown Country Club – Request for Variance

The consensus of the Board was to leave this matter to the Zoning Hearing Board

TREASURER'S REPORT:

Mr. Scarborough made a MOTION to accept September 2009 Treasurer's Report, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0.

BILL'S LIST:

Mr. Scarborough made a MOTION to accept the September 2009, Bill's List in the amount of \$643,188.91, seconded by Mr. Bennett.

ANNOUNCEMENTS:

World Wide Day of Play will be held at Central Park on Saturday, September 26, 2009 from 10:30 a.m. to 4:00 p.m.

A special Board of Supervisor's meeting will be held on Wednesday, September 30, 2009 beginning at 7:00 p.m. at Lenape Middle School, regarding Route 202/ 263 and Rogers Road traffic issue.

Hidden Treasures Community Yard Sale will be held at Central Park on Saturday, October 3, 2009 from 8:30 a.m. to 2:00 p.m. There will be a vendor fee of \$15.00.

The next Board of Supervisor's meeting will be on Tuesday, October 6, 2009 at 7:00 p.m.

Township Road Inspections will be held on Tuesday, October 6, 2009 at 4:00 p.m.

ADJOURNMENT: 8:29 p.m.