

## **DOYLESTOWN TOWNSHIP BOARD OF SUPERVISORS**

*January 20, 2009*

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:00 p.m. on Tuesday, January 20, 2009 at the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Board of Supervisors in attendance included Barbara N. Lyons, Chairman; E. Thomas Scarborough, Jr., Vice Chairman; Jeffrey Bennett; Cynthia Philo and Barbara Eisenhardt. Others in attendance included Jeffrey Garton, Township Solicitor; Stephen White, Chief of Police; Mario Canales, Township Engineer and Stephanie Mason, Township Manager.

### **PLEDGE OF ALLEGIANCE**

**VISITOR/PUBLIC COMMENTS:** None.

### **ANNOUNCEMENT:**

Ms. Lyons announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, February 3, 2009.

### **APPROVAL OF MINUTES:**

Mr. Scarborough made a MOTION, seconded by Ms. Philo to approve the minutes of the January 5, 2009 Reorganization Meeting of the Board of Supervisors.

Ms. Eisenhardt noted that the original document that was voted on at the Reorganization Meeting did not include the Planning Commission or any person that was reappointed. The new list includes it, but it does not match what we voted on.

Ms. Mason replied that what was listed on the revised agenda given to the Board on 1/5/09 included the Planning Commission applicant.

Ms. Eisenhardt noted the amended original agenda with the attachment did not have Planning Commission listed under Boards & Commissions so there were no reappointments made to the Planning Commission on 1/5/09.

Ms. Lyons suggested tabling the minutes of 1/5/09 until we look into it.

Ms. Eisenhardt explained that she would be happy to vote to approve the minutes if we amend the motion to add the Planning Commission as it was not in the original packet.

Ms. Lyons made a MOTION, seconded by Mr. Bennett to table the minutes of 1/5/09 Reorganization Meeting.

MOTION was ADOPTED 5-0.

**PRESENTATION BY PUBLIC WATER & SEWER ADVISORY COMMITTEE -  
2008 UPDATE & 2009 WORK PLAN:**

David Blois, Chairman of the Public Water and Sewer Advisory Committee gave a power point presentation on the Pebble Ridge Area On-Lot Disposal System and the 2009 Work Plan. A written copy of the presentation was provided to the Board (See attached to minutes).

Following the presentation, Mr. Blois asked for any comments or questions.

A resident asked about compliance.

Mr. Blois replied a reminder will be sent to pump.

Sandra Zadell, Special Projects Manager, added that the location of the property will be sent to the Bucks County Department of Health for investigation.

Ms. Philo said there is no fine by the Township for noncompliance.

Mr. Blois replied that is correct.

A resident commented that she understands that dye needs to put in toilets and that has not been done.

Mr. Blois replied DEP recommends that a dye test on-lot visual survey be done as it is an efficient way to check for malfunctions.

John Everett, Turk Road, commented that the Pebble Ridge area was studied, and is the recommendation geared towards that area specifically.

Mr. Blois replied our first recommendation will be based on the results of the Pebble Ridge area.

Mr. Everett asked is there enough capacity at any of the nearby sewer plants for 200 houses?

Mr. Blois replied there is, but not much more.

Ms. Philo asked why there was a change in capacity with malfunctioned properties.

Mr. Blois replied a letter was sent to 50 property owners asking them to speak to the Board of Health to look at their system.

Ms. Philo asked about the properties that were malfunctioning and now their not.

Mr. Blois replied we sent a letter to those property owners about that and we are just now getting responses to review.

A resident commented there were two inspections done with conflicting responses. We want and need sewers in this area.

Mr. Blois asked for a consensus from the Board regarding the 2009 Work Plan.

Mr. Bennett referred to the second item listed in the 2009 Work Plan regarding authorization from the Board of Supervisors for the PWSAC to present date to residents; and commented that he assumes that it would be a publicly advertised meeting and notices will be sent to all residents in that area and he encouraged all Board members to attend that meeting.

Ms. Lyons noted that meeting would be held on a separate date and televised.

Mr. Scarborough thanked the PWSAC for their hard work on this project as he is the liaison to this committee.

Ms. Philo asked to see answers to the changing of the properties that were and were not in compliance before a final recommendation is presented.

The consensus of the Board was to move forward with the PWSAC 2009 Work Plan as presented.

**CORRESPONDENCE:**

Rt. 263 and Rt. 313 Traffic Evaluation:

Ms. Lyons noted that we received correspondence from Pennoni Associates, Inc. regarding two options for the Rt. 263 and Rt. 313 Traffic Evaluation. Option 1 – is for Rodgers Road and Spring Valley Road Evaluation in the amount of \$5,000 and Option 2 – Comprehensive Traffic Evaluation in the amount of \$10,000 to \$12,000.

Ms. Eisenhardt commented that the cost of these traffic evaluations should be on the burden of the developer.

Mr. Bennett commented that Option 1 looks similar to an applicant's traffic study and he questions what the engineer is proposing to do.

Solicitor Garton noted that the Board can require a traffic study that a developer pays for as long as it is consistent with standards of the SALDO. He cannot say whether or not the SALDO differs from these proposals.

Chief White added that the Traffic Advisory Committee recommended that instead of having a traffic study that dealt with each one of the three proposed developments; that a

comprehensive study be done on what would be the impact of the three developments once they are completed on the road structure on the surrounding area.

Ms. Lyons expressed concern that we do not have actual developments yet. There is only one, which is Temple Judea, and they had their own traffic study done. There was discussion about modifying it based on questions raised at the public hearing, but we have not seen it yet. It would be difficult to get a developer to pay for a traffic study when there is no development, and Temple Judea has done their own traffic study. If we want to create a comprehensive traffic study; the Township would need to pay for it. Pennoni indicated in Option 1 that, "This evaluation will assume that all three sites are completed and fully occupied in the same year." Option 2 – says, "This comprehensive proposal is for all three developments whenever they occur."

She would like a more definitive response from Pennoni on Option 1. We can also look at Temple Judea's traffic study and review the concerns that were expressed by residents to Temple Judea.

Ms. Philo suggested that Mr. Grasso and Temple Judea and the owner of the four-acre site share the costs of the traffic study.

Solicitor Garton noted that the Board charges developers for road improvements, and suggested that the Board may consider offering to defer some of those fees if the developers contribute to the cost of the comprehensive study.

Ms. Lyons asked for any public comments.

John Everett, Turk Road, commented that it shows a lot of foresight to have a comprehensive plan, and Mr. Grasso can develop that property any number of ways, which would have various traffic impacts.

Mr. Scarborough suggested Phil Wursta come and explain the letter.

The consensus of the Board was to table this matter until the next meeting until they receive more information from Pennoni Associates, Inc., about their proposal.

**REPORTS:**

**Solicitor:** No report.

**Police Chief:**

Chief Stephen White noted that on May 20, 2008, Donald Lawson was promoted to Corporal and there is a six-month probationary period for Corporal. It is his opinion that Corporal Donald Lawson exceeded the essential job functions of Corporal of Police and recommended to the Board that he be granted tenure by the Board of Supervisors retroactive to the completion of his six months probation of November 20, 2008.

Ms. Eisenhardt made a MOTION, seconded by Mr. Scarborough to grant Corporal Donald Lawson tenure to be retroactive to the completion of his six month probation period of November 20, 2008.

MOTION was ADOPTED 5-0.

**Township Engineer:** No report.

**Manager:**

Ms. Mason noted the Board has a memo regarding DEP's hearing that took place on January 7, 2009, and DEP will accept written public comment until February 20, 2009.

Ms. Lyons asked that the Board support the installation of water in this area as the residents of Furlong have been struggling with this matter for many years. If DEP can install a water supply, it would be at no cost to the residents except for the amount of water they use. She suggested adopting a resolution on behalf of the Board of Supervisors in support of the installation of a municipal water supply to send to DEP, and she also proposed that we ask Buckingham Township Supervisors to issue a similar resolution if this Board is so inclined to do so.

Mr. Scarborough commented that Buckingham Township attended that hearing and were in favor of this project as it affects their Township as well.

Ms. Eisenhardt added that one of the questions that has not been answered yet is, "Who will supply the water," whether it would be Buckingham or Doylestown Townships.

Mr. Scarborough clarified that Buckingham Township will supply the water to the Doylestown Municipal Water Authority, which would be the water system for that area.

Solicitor Garton added that a "wholesale agreement" would be needed.

Ms. Eisenhardt commented that she feels there are issues relative to who will supply the water that needs to be resolved before we move forward with the project.

Ms. Lyons commented there is a public health concern and she feels the Township is obliged to issue a resolution to DEP that we fully support the installation of a public water supply system in this area. We can work on where the water will come from later.

Mr. Scarborough made a MOTION, seconded by Mr. Bennett to adopt a Resolution on behalf of the Board of Supervisors of Doylestown Township to DEP (Department of Environmental Protection) in support of a public water supply in this area.

Ms. Eisenhardt asked do we need to adopt a resolution or can it be a consensus by the Board.

Solicitor Garton suggested approving the motion and send a letter confirming the motion.

Ms. Lyons noted she will contact the Chairman of the Buckingham Board of Supervisors and ask them to consider a similar resolution.

Ms. Philo commented that it is important for Buckingham Township to be on board with this project and has the water to do it.

MOTION was ADOPTED 5-0.

**Supervisors:**

Mr. Scarborough commented that we have an opening for Chairman for the EAC (Environmental Advisory Council) and he recommended Dr. Jennifer Wollenberg.

Mr. Scarborough made a MOTION, seconded by Ms. Philo to appoint Dr. Jennifer Wollenberg as Chairman of the EAC

Dr. Wollenberg thanked the Board of Supervisors for their nomination as it has been a pleasure working with the EAC.

MOTION was ADOPTED 5-0.

Mr. Scarborough asked about a motion for Keith Peters as Vice Chairman of the EAC.

Ms. Philo replied that does not need a motion.

Ms. Eisenhardt commented that the liaisons are not supposed to vote on any of the subcommittees and the committee itself should vote on their own Chairman and Vice Chairman.

Mr. Scarborough clarified that the Charter says that, "The Board of Supervisors votes on the Chairman of the EAC."

Ms. Eisenhardt asked the Board to reuse the Township's bags after they receive their packets.

Ms. Lyons announced that we have interviews for Boards and Commissions scheduled for February 3, 2009 and February 17, 2009.

**UNFINISHED BUSINESS:**

Delaware Valley College Composting Site:

Mr. Scarborough noted that the EAC provided a memo to the Board regarding their commitment with Delaware Valley College in regards to recycling.

Ms. Lyons commented that residents asked if there could be a spring cleanup as well.

Dr. Wollenberg, Chairman of the EAC, noted there will be monthly drop-off dates scheduled and we are in the process of determining that date for this year.

Mr. Lloyd added that the first two dates are March 28<sup>th</sup> and April 18<sup>th</sup>.

Dr. Wollenberg noted that both of those dates will be posted on the Township's website. Also, there is a Christmas tree drop-off in January/February.

Ms. Philo asked when was the EAC requested to have a tracking form done?

Ms. Mason replied it's not a tracking form, but a way to keep track of residents who sign up to have someone else take their yard waste.

Ms. Lyons clarified that there is no tracking form.

**NEW BUSINESS:**

Land Development – Schiefer Lot Line Change – Review Extension:

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt to approve the extension granted by the applicant, Ted Schiefer on the subject lot line change from January 25, 2009 to April 25, 2009.

MOTION was ADOPTED 5-0.

Central Bucks Family YMCA Development Agreement:

Solicitor Garton noted that before the Board is the proposed development agreement relating to the YMCA's land development application, and recommended approval.

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt to approve the Development Agreement prepared by the Central Bucks Family YMCA relating to the land development application.

MOTION was ADOPTED 5-0.

Central Bucks YMCA/Sellersville Borough Industrial Development Agreement:

Solicitor Garton noted that Sellersville Borough Industrial Development Authority has approved the application of the Central Bucks Family YMCA for aid in financing a project pursuant to their land development application.

Mr. Scarborough made a MOTION, seconded by Ms. Eisenhardt to approve a resolution of Doylestown Township approving the issuance of by Sellersville Borough Industrial Development Authority of its tax-exempt note for a facility located in Doylestown Township, and authorize the appropriate Officers of the Board of Supervisors of Doylestown Township to execute any or all documents related thereof.

MOTION was ADOPTED 5-0.

Gene Smith, Executive Director of the YMCA, thanked the Board of Supervisors for their approval.

Request to Send Township Vehicles to Auction:

Ms. Philo made a MOTION, seconded by Mr. Bennett to send the following vehicles to auction on February 7, 2009:

1. 1977 Chevrolet Grumman Vin #CPT3273311690
2. 1999 Ford Crown Vic Vin #2FAFP71W9XX164155

MOTION was ADOPTED 5-0.

Zoning Hearing Board Application:

Ms. Mason noted that we have a Zoning Hearing Board application submitted by J. Ulasewicz requesting a special exception and variance and suggested leaving the matter to the ZHB.

The consensus of the Board was to leave the matter of the special exception and variance to the ZHB.

2009 Trash Hauler Permits:

Ms. Eisenhardt made a MOTION, seconded by Mr. Scarborough to approve the list of trash haulers to receive licenses for 2009 as noted in the memo by Township Manager Stephanie Mason, dated, January 15, 2009.

Ms. Philo asked about cardboard being recycled.

Dr. Wollenberg replied the EAC can discuss it and she will find out what is required of our trash haulers.

Ms. Philo commented that she has received requests from residents that recycling cardboard would be beneficial.



Ms. Zadell added that residents should check with their trash hauler, and there are several locations in the Township where cardboard can be dropped off.

MOTION was ADOPTED 5-0.

Request for Bid Extensions – 2009:

Ms. Eisenhardt made a MOTION, seconded by Mr. Scarborough to approve one year extensions for 2009 to P.K. Moyer & Sons, Inc., at no change in the 2008 hourly bid rate for equipment rental in 2009; Land-Tech Enterprises, Inc., with an increase of 2.389% of \$1,511.75 per the 2008 lawn maintenance contract rate of \$63,280.00; RMC Clean Sweep, Inc., at no change in the 2008 hourly or contract rate for street sweeping in 2009.

MOTION was ADOPTED 5-0.

2009 Sounds of Summer – Performers Contracts:

Ms. Eisenhardt made a MOTION, seconded by Mr. Bennett to approve the 2009 Sounds of Summer Performer Contracts as noted in memo by Karen Sweeney, Director of Parks & Recreation, dated, January 9, 2009.

MOTION was ADOPTED 5-0

Treasurer's Report – December 31, 2008:

Mr. Bennett made a MOTION, seconded by Mr. Scarborough to approve the Treasurer's Report of December 31, 2008.

MOTION was ADOPTED 5-0.

Bills List – December 31, 2008:

Mr. Scarborough made a MOTION, seconded by Mr. Bennett to approve the Bills List of December 31, 2008 in the amount of \$777,796.61.

MOTION was ADOPTED 5-0.

**ANNOUNCEMENT:**

Ms. Lyons announced that the next meeting of the Board of Supervisors is scheduled for Tuesday, February 3, 2009.

**ADJOURNMENT:** 8:10 p.m.

Respectfully submitted,

Stephanie Mason, Township Manager

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