



# Board of Supervisors

## Regular Meeting

425 Wells Road  
Doylestown, PA 18901  
[www.doylestownpa.org](http://www.doylestownpa.org)  
Twitter: @DoylestownTwp  
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215-348-9915

~ Minutes ~

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Tuesday, May 1, 2018

4:00 PM

Meeting / Activity Trailer

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### I. 4:00 PM REGULAR MEETING

Members of the Board of Supervisors in attendance included Chairperson; Barbara N. Lyons, Vice Chairman; Richard F. Colello with Supervisors; Ryan Manion, Ken L. Snyder and Jennifer V. Herring.

Township Staff in attendance included Township Manager; Stephanie J. Mason, Director of Operations; Dave Tomko, Chief of Police; A. Dean Logan, Township Solicitor; Jeffrey P. Garton, and Township Engineer; Mario Canales.

#### A. Pledge to the flag

Prior to the meeting, the Board interviewed candidates for the newly created Pension Board.

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors appoint Ms. Nancy Wasch, Mr. Gregg Schuster, Mr. Joe Delikat, Ms. Colleen Mullen and Mr. Ed Denton as members of the Pension Advisory Committee.

MOTION CARRIED by a 5 to 0 vote.

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors appoint Mr. Mike Paulosky and Mr. Kevin Harrigan as members of the Ways and Means Committee.

MOTION CARRIED by a 5 to 0 vote.

#### B. Presentation - Comprehensive Plan Update

Doylestown Township Planning Consultant; Ms. Judy Stern Goldstein reported; with Parks & Recreation Director; Karen Sweeney and Program Director of Middletown Township; Patrick Grant will update the joint Park & Recreation Comprehensive plan. The plan was a joint plan in 2007 with Doylestown Borough and designed to oversee park improvements, enhancements and capital purchases.

The township was awarded a Department of Conservation and Natural Resources (DCNR) \$10,000 grant and the township also has a \$10,000 match. The proposal submitted from both Boucher & James, Inc and Mr. Grant totals \$16,000 and \$4,000. Ms. Stern Goldstein indicated, a committee should be devised of five (5) to seven (7) people. A list was provided in the Board's packet and noted five individuals confirmed interest, one has moved out of the township and one didn't have the time to serve on the committee. There is a vacancy for a student member. The committee will only serve for the duration of the project. Proposed members include, Mr. Robert Salanik, Mr. William Wert, Ms. Anne Woodberry, Ms. Kathy Brown, and Ms. Debra McComas.

Mrs. Lyons questioned; if a candidate from Doylestown Borough or surrounding municipalities will be considered. Ms. Stern Goldstein answered; only candidates from the township will be considered due to the Borough's non-participation in the Comprehensive planning. Mr. Lyons questioned; if additional members will be added. Ms. Sweeney answered; the names will be provided as the vacancies are filled.

Mr. Snyder questioned; do the candidates cover the demographics. Ms. Stern Goldstein answered; the original list did and include age, interest, activities, gender and cross reference. Ms. Sweeney added; the research also includes looking into the demographics, self-interest and actively involved with other Boards and Commissions. The student member will have a minimum of a high school education and/or currently in college.

Mr. Snyder referenced the six outputs and questioned; under number four (4), what does it mean to reach out to the public. Ms. Stern Goldstein answered; there will be four public meetings as three committee meetings and one public meeting before presenting the plan to the Board of Supervisors. In addition, interviews will be conducted with stock holders in one day. Mr. Snyder questioned; will part of the plan be used to view open space or will it be part of the inventory. Ms. Stern Goldstein answered; inventorying and noting the use as it's been designated when the open space was acquired.

Ms. Herring made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve Boucher & James, Inc and Program Director of Middletown Township; Patrick Grant to move forward with updating the 2007 Doylestown Township Parks & Recreation Department's Comprehensive Plan as per the requirements by DCNR.

MOTION CARRIED 5 to 0.

Ms. Herring made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors approve a Comprehensive Plan Committee be created as outlined by Ms. Stern Goldstein and devised with Mr. Robert Salanik, Mr. William Wert, Ms. Anne Woodberry, Ms. Kathy Brown, and Ms. Debra McComas to assist with updating the 2007 Doylestown Township Parks & Recreation Department's Comprehensive Plan.

MOTION CARRIED 5 to 0.

Ms. Sweeney informed; a Board of Supervisor Liaison will also need to be appointed to the Comprehensive Plan Committee and recommended Park and Recreation Board Liaison; Ms. Herring. Ms. Herring accepted the position.

C. Visitors/Public Comments

**II. ANNOUNCEMENTS**

- A. The next meeting of the Doylestown Township Board of Supervisors will be held on Tuesday, June 5, 2018 at 7:00PM.
- B. Doylestown Township Administrative Offices will be closed on Tuesday, May 15, 2018 due to Primary Election Day and Monday, May 28, 2018 in observance of Memorial Day.
- C. The next 2018 Budget Work Session will be held on June 19, 2018 at 3:00 pm. Public is welcome to attend.

- D. Touch-A-Truck –Saturday, May 5, 2018– Central Park 10AM – 1:00 PM – FREE
- E. Home Run Derby – Thursday, May 17, 2018 – Turk Baseball Fields – Check in 4:30PM
- F. 2018 Thompson Performing Arts Series kicks off on May 18, 2018, Movie “Finding Dory”
- G. Doylestown Township Annual Golf Outing – June 4, 2018 at Doylestown Country Club. Please contact the Administration offices or to register.
- H. Create a New Flag for Doylestown Township Contest win a \$1,000 prize – Design submissions are due by June 1, 2018. Guidelines can be found on the Township’s website.
- I. Dressing the Bicentennial Float event is scheduled on Saturday, May 5th between 9:00am and 12:00pm. Anne Woodberry will be hosting the event and will take place in the red building near the Public Works building. All are welcomed.
- J. The Environmental Advisory Council (EAC) will host a Garden Party on Sunday, May 6th between 3:00pm and 5:00pm at the Native Plant Garden, located behind Central Park. Jazz music and food will be provided. All are welcomed. Attire includes wearing a decorative hat.

### III. MINUTES APPROVAL: Board of Supervisors and Budget Work Session- April 17, 2018

Mr. Snyder made a MOTION; by Mr. Colello the April 17, 2018 Doylestown Township Board of Supervisors Regular meeting minutes be approved.

MOTION was ADOPTED 4 to 1 with Ms. Manion abstaining due to her absence.

Ms. Herring made a MOTION; seconded by Mr. Snyder the April 17, 2018 Doylestown Township Budget Work Session minutes be approved.

MOTION was ADOPTED 4 to 1 with Ms. Manion abstaining due to her absence.

### IV. CORRESPONDENCES

#### A. SEPTA Closure of Lower State Road – July 9-13, 2018

Ms. Mason reported; a notice was received from Southeastern Pennsylvania Transportation Authority (SEPTA) informing track improvements will be performed between Monday, July 9th through Friday, July 13th. A detour will be planned, which was reviewed by the Township's Traffic Engineer and Police Department. A notice will be forwarded to SEPTA informing detours have been approved and the project can move forward.

All information will be posted on the Township's website via [www.doylestownpa.org](http://www.doylestownpa.org) and other social media sites to inform the public.

### V. REPORTS

#### A. Solicitor

Fireworks Ordinance:

Mr. Garton reported; for years Pennsylvania did not permit the sale of fireworks with the exception of out of state residents. Recently, the statute have changed to permit the sale of fireworks in the Commonwealth and to its residents.

A model ordinance was authored in part by the Fireworks Association and adhered to certain standards. Mr. Garton requested Board guidance on how to respond as to forward the ordinance to the Planning Commission or Codes of Enforcement for review. A second option is to have Mr. Garton create an ordinance as written by the Fireworks Association. Ms. Mason added; upon her review of the ordinance with Director of Code Enforcement; Sinclair Salisbury, it was recommended to create a new standalone ordinance via the Fire Marshall's department.

The Doylestown Township Board of Supervisors agreed by consensus to have Township Solicitor; Jeffrey P. Garton along with Director of Code Enforcement; Sinclair Salisbury and Fire Marshall; Rick Schea create the Fireworks ordinance for the Township.

Mr. Colello questioned; should the appropriate usage in the current ordinance be considered when creating the Fireworks ordinance. Ms. Mason agreed.

#### Application of Clayton - Zoning Hearing Board:

Mr. Garton reported; previously, the Board authorized the attendance of the Solicitor at the Zoning Hearing to object the application where the owner proposed divided one lot into two separate, non-conforming lots. The property owner's counsel forwarded a sketch plan to change the position of the Board. The sketch plans shows one lot as conforming and the second is less non-conforming.

Mrs. Lyons requested the thoughts of the Township Manager. Ms. Mason indicated; the lots remain as one conforming and the second non-conforming lot. Taking an existing conforming lot and creating a non-conformity tends to be discouraged. Ms. Mason's recommendation is to first leave the lot as is and continue to have the Solicitor meet with the Zoning Hearing Board to oppose the application. Mr. Garton added; one of the premises in the application is there other multitude of lots already undersized. However, upon reviewing a map, most lots are not undersized, but conforming.

The Doylestown Township Board of Supervisors agreed by consensus to have the Township Solicitor; Jeffrey P. Garton attend the Zoning Hearing Board meetings to oppose the application of Clayton.

#### B. Police Chief

Chief Logan reported; he met with Chiefs of Police from nine different municipalities covering the Central Bucks School District to continue discussions of school violence. The next meeting is scheduled for May 17, 2018. In addition, Chief Logan attended an April 27th meeting with several Emergency Management Teams at the Central Bucks YMCA to review their emergency action plan. On April 28th, the police department participated in the annual Drug Enforcement Administration (DEA) Drug Take back event, where forty six (46) pounds of prescribed drugs were received.

The two newest officers are progressing well. Lt. O'Connor will be entering the Deferred Retirement Option Plan (Drop program), beginning today, May 1, 2018. Chief Logan will ensure an appropriate replacement is hired before Lt. O'Connor's departure.

#### C. Township Engineer

Mr. Canales reported; in March of 2018, the Board approved the Central Bucks West High School athletic field project. Earlier today a pre-construction meeting was held, where the applicants requested four

thousand (4,000) square yards of top soil to be removed with the proposed synthetic field being installed. The township Subdivision Land Ordinance (SALDO) prohibits the removal of top soil from the site, unless approve by the Board of Supervisors. The applicant requested to begin removing the soil on May 14th and offered soil to the township. The township will be accepting approximately 500 yards. Mr. Canales requested a waiver of SALDO Section 153.29(D)2.

Mr. Snyder made a MOTION; seconded by Ms. Manion the Doylestown Township Board of Supervisors waive applicants; Central Bucks High School West request to remove 4,000 square yards of top solid and allocate 500 yards to the Township.

MOTION CARRIED 5 to 0.

D. Dir. of Operations

Mr. Tomko deferred the 2018 Road Program bids to Mr. Canales who reported; the township received seven (7) bids for the 2018 Roads Program. The base bid work for the Estates of Doylestown, and four (4) add alternates bids to include, one bid from Cedar Crest Farms for Shady Retreat Road, Upper State Road, and Duane Road.

With a budget of \$625,000 for the Road Program, the lowest bid received was in the amount of \$679,000. The bid was recalculated to remove Duane Road due to having the least amount of work needed. Additionally, the water company is considering extending a water line off Duane Road, where improvements will be included. With the change, the budget increased to \$639,000. Upon a second evaluation, a portion of Shady Retreat Road was removed from SEPTA Railroad crossing towards Butler Avenue due to having a portion split with Doylestown Borough. The Borough has an improvement program in place for the area to be upgraded. Again, the change increases the budget to \$627,440.15.

Mr. Canales discussed the changes with the contractor, who agreed with the changes and recommended the 2018 Road Program bid be awarded to James D. Morrissey in the amount of \$627,440.15, contingent upon a contract for executing a change order as outlined in the bid package for the reduced pricing.

Mrs. Lyons questioned; if the township will be subject to any penalties or fines for the change orders. Mr. Canales indicated no.

Mr. Snyder made a MOTION; seconded by Ms. Herring the Doylestown Township Board of Supervisors award the 2018 Roads Program bid to James D. Morrissey in the amount of \$627,440.15, contingent upon a contract for executing a change order as outlined in the bid package for the reduced pricing.

MOTION was ADOPTED 5 to 0.

Mr. Canales answered a questioned asked during the 2018 PSATS event as Doylestown Township is paving 4.2 miles of roads.

E. Manager

F. Supervisors

Ms. Herring reported; along with Mr. Colello and Ms. Mason, a meeting with a representative from PECO Energy was conducted to discuss reasoning for the frequent power outages during the storms and

how communications is managed during outages. The meeting was productive and will continue until better communication management is determined.

Mr. Snyder offered his services as the Board of Supervisor Liaison to the newly created Pension Committee. Hearing no other recommendations, the Doylestown Township Board of Supervisors agreed by consensus.

Mr. Colello reported; the Planning Commission met with applicants; Toll Brother and their attorney to discuss the Bray Long Tract. With the assistant of Mr. Garton, clarification on how and what can be devised with zoning and site contribution was presented

The township received a thank you letter from a resident, who was grateful for the service received from Sergeant Ziegler. During the recent storms, the resident's automobile was stuck in a ditch. Sgt Ziegler checked in on his wellbeing several times and called a tow truck.

The Furlong Road project is progressing well. The main is completed along the township and moving towards Buckingham Township.

Mrs. Lyons reported; Doylestown Dart's has been renamed "The Dart" and services are expanding west towards business Route 202 towards the Chalfont, New Britain Borough areas.

In celebration of Doylestown Township's Bicentennial, the Newsletter is marking the township's news timeline beginning from 1818 and almost at present day. Mrs. Lyons congratulated the staff on a job well done.

The Herald Newspaper printed an article announcing the Create a New Flag for Doylestown Township Contest, based upon a letter written by a Vexillologist.

On Tuesday, April 24th Mrs. Lyons attended a breakfast at the Doylestown Rotary Club, where she received \$5,000, allocated for oak trees in honor of the Bicentennial celebration.

Ms. Manion made a MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisor accept Joseph Paternostro's resignation as a member of the Bicentennial Committee.

MOTION CARRIED 5 to 0.

## VI. PUBLIC HEARING

### A. Giant Food Stores – Transfer of Liquor License

Mr. Garton reported; on April 23, 2018 Giant Food Stores, LLC filed an application with the Township. The applicants request Board approval of an intermunicipal transfer of a liquor license R-19767. The first advertisement occurred on April 13th, due to receiving a letter in advance, which didn't have a complete application. The license will be transferred from 101 South Main Street in Richlandtown Borough to the Giant Food Store to be located at 1616 Easton Road, along a portion of county tax parcel 9-14-30-2. The hearing was advertised in the Intelligencer Newspaper on both April 15th and 22nd. The application and proof of publication was incorporated into record by reference. The provisions of the Pennsylvania Liquor Control Code 47 P.S. 461 permits inter municipal transfers of a restaurant liquor license within Bucks County, provided the Board of Supervisors public hearing in the terms of the transfer not be detrimental to the health, welfare, and morals of Doylestown Township.

Mr. Garton asked the question, if anyone present desires the party of status. Hearing no response, Mr. Garton introduced Ellen M. Freeman, Esquire of Flaherty & O'Hara.

Ms. Freeman explained; the liquor transfer will be used towards the newest Giant Food Store location to provide a beer garden eatery. The eatery will be designed to allow customers to drink on premises with limits. It will also allow Giant Food Stores to sell wine and beer to go. Due to the increase in demand to have alcohol sales in food stores, the liquor code has gone through a number of changes. In 2016, the Pennsylvania legislator enacted ACT 39, which clarified the language the Pennsylvania Control Board is presently enforcing. The change will enable food stores to obtain a restaurant liquor license in Pennsylvania. To date, Giant Foods stores has obtained sixty four (64) liquor licenses.

Upon providing a brief history of Giant Stores record with liquor sales, Ms. Freeman indicated; no Giant Store has ever been cited for any violation of the liquor code, due to their strict policies and procedures.

Ms. Freeman submitted a layout of the floor plan and aerial view as Exhibit A1 and 2. The eatery will be located in the front left of the store with a designated area to purchase alcohol. Booth seating will be provided for thirty two (32) customers with food options as dining in and take away. Hours of operation for alcohol sales will be from Monday through Saturday, 7:00am until 10:00pm. Sunday's operation will begin at 9:00am until 10:00pm. The store will be fully ramped certified as part of the responsible Management Program, where each employee will be fully trained. In addition, the employees will need to complete and enforced carding policy training. The training will also include working the carding device installed on each register.

Sales in the beer garden and on premises will be limited to a sale of only two per customer with a meal item. The premises will have no wait staff, bar, draft beer or happy hour. Takeaway sales will be limited to two six packs of beer or four standard bottles of wine during a single transaction. All beer and wine purchases must be made in the designated licensed section and scanning will be prohibited in other areas of the store. Security cameras will be installed throughout the beer garden from the cash register to a full view of all products.

Ms. Freeman called Manager of Special Projects for Giant Food Stores; Mr. Colin Heap and asked; when is the proposed Giant Food store scheduled to open for business for alcohol sales. Mr. Heap answered; the grand opening is anticipated to be in February of 2019, including the beer garden.

Ms. Freeman questioned; how will the products be locked when the beer garden is closed. Mr. Heap answered; each of the cold doors will be individually locked at closing each evening.

Ms. Freeman requested clarification on Giant Food Stores carding policy. Ms. Heap explained; to simplify the process instead of having employees to make judgment calls of each customer's age, an electric identification scanner will be installed on the registers to provide accuracy and verification.

Ms. Freeman questioned; why does Giant Foods Stores need liquor licenses. Mr. Heap answered; the main reason is to increase consumer variety and convenience.

Mrs. Lyons referenced section 22 in the inter municipal application and questioned; why is an amusement permit requested. Ms. Freeman explained; the permit will be used towards the prevention of citations from amusement, such as dancing. With a low threshold and nominal cost at \$100.00 per year, it will also serve as insurance. Mrs. Lyons questioned; if amusement is anticipated at the location. Mr. Heap answered; typically the store will hold various events, such as a grand opening beer celebration with entertainment. During the event, samples of wine and beer will be provided for two hours. There are also employee talents shows scheduled.

Mrs. Lyons questioned; once a beer is purchased, will a customer be allowed to walk through the store and how is it monitored. Mr. Heap answered; the associated assigned to the beer garden will have the main responsibility of monitoring the area. Additionally, there are cameras that film under real time, where one camera will be station at the registered and beer garden at all times.

Mr. Snyder questioned; if the beer garden is secured. Mr. Heap answered; as part of the license, the beer garden will be delineated from the rest of the grocery store with interior, permanent connections. The connections will be in the form of a salad bar or a four foot tall metal post that will delineate the perimeter of the licensed area. However, there is no physical barrier.

Hearing no public comments, Mr. Garton reported; the appropriate resolution has been prepared and upon Board approval, the proposed ordinance is consistent with the Liquor Control Board code. The only reason for Board denial of the intermunicipal transfer will be contrary to the health, welfare, and morals of Doylestown Township.

Mrs. Lyons referenced; the “whereas” section under the first line of the ordinance and requested clarification of sales of liquor. Ms. Freeman clarified; with a restaurant liquor license, it's permitted by law to sell spirits on the premises. However, Giant Food has no interest and do not allow liquor on premises. The only intent is to sell beer for consumption and to go.

Mr. Snyder questioned Chief Logan if any issues of shop lifting were reported along the township. Chief Logan indicated all issues were minor.

Mr. Snyder made a MOTION; seconded by Ms. Herring the Doylestown Township Board of Supervisors approve the Inter municipal transfer of a liquor license R-19767 from Giant Food Store, LLC from the 101 South Main Street in Richlandtown Borough to the Giant Food Store to be located at 1616 Easton Road, along a portion of county tax parcel 9-14-30-2.

MOTION was ADOPTED 5 to 0.

**B. Ordinance requiring the Mandatory Hook Up to Public Water – Furlong Water Service District**

Mr. Garton reported; as part of the Furlong water project, the Pennsylvania Department of Environmental Protection (DEP) required the township adopt an ordinance mandating connections to public water service based upon the Board's act authorizing the advertisement of the ordinance. The ordinance has been advertised in the Intelligencer Newspaper on April 23, 2018 and copy forwarded to the Bucks County Law Liberty. In order to comply with the DEP grant, a public hearing needs to be conducted.

Mrs. Lyons indicated; Doylestown Township Municipal Authority (DTMA) and Buckingham Township will be servicing the area, where Buckingham Township has approved mandatory hook ups.

Mr. Colello made MOTION; seconded by Mr. Snyder the Doylestown Township Board of Supervisors approve the Ordinance of the Township of Doylestown, Bucks County provide for the mandatory connection to public water of all properties in the Furlong Water Service District.

Mr. Snyder questioned; when does the 90 day communication begin regarding hook up to the residents. DTMA Executive Director; Keith Hass answered; residents are notified upon the passage of the ordinance and communication with Buckingham Township the commencement of water supply. Once the water is ready to be served, the residents will have 90 days to connect. Mr. Hass personally visited all ten affected properties at least once per week and informed all residents. However, a written notice will be forwarded as a follow up.



As an update, Mr. Hass informed, there is approximately 200 feet remaining to complete the water main in Doylestown Township.

MOTION was ADOPTED 5 to 0.

## VII. UNFINISHED BUSINESS

## VIII. NEW BUSINESS

### A. Preserve @ Burke Farm Preliminary Subdivision – Review Extension

Ms. Manion made a MOTION; seconded by Mr. Colello the Doylestown Township Board of Supervisors grant a 90 day extension to WB Homes, Inc Senior Vice President; Christopher R. Canavan to submit a Subdivision and Land Development plan for Preserve at Burke Farm.

MOTION was ADOPTED 5 to 0.

### B. Disposition of Township Property – Request to send items to auction

Mr. Snyder made a MOTION, seconded by Ms. Herring the Doylestown Township Board of Supervisors authorize the following items be sent to public auction hosted by J.J. Kane Auctioneers on June 23, 2018:

*1994 150KW Kohler Backup Generator with Transfer Switch - Model #150R0ZJ81*  
*1995 Woodchuck Chipper - Model # 1W9B71219SS200322*  
*1978 Dayton Air Compressor - Model #6K882C*

MOTION CARRIED 5 to 0.

### C. Bills List

Mr. Snyder made a MOTION; seconded by Ms. Herring the Doylestown Township Board of Supervisors approve the May 1, 2018 Bill's List in the amount of \$169,416.28.

MOTION was ADOPTED 5 to 0.

## IX. ANNOUNCEMENTS

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- B. Doylestown Township Administrative Offices will be closed on Tuesday, May 15, 2018 due to Primary Election Day and Monday, May 28, 2018 in observance of Memorial Day.
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- E. Home Run Derby – Thursday, May 17, 2018 – Turk Baseball Fields – Check in 4:30PM
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- H. Create a New Flag for Doylestown Township Contest win a \$1,000 prize – Design submissions are due by June 1, 2018. Guidelines can be found on the Township’s website.
- I. Dressing the Bicentennial Float event is scheduled on Saturday, May 5th between 9:00am and 12:00pm. Anne Woodberry will be hosting the event and will take place in the red building near the Public Works building. All are welcomed.
- J. The Environmental Advisory Council (EAC) will host a Garden Party on Sunday, May 6th between 3:00pm and 5:00pm at the Native Plant Garden, located behind Central Park. Jazz music and food will be provided. All are welcomed. Attire includes wearing a decorative hat.

**X. ADJOURNMENT**

Hearing no further business, the May 1, 2018 Doylestown Township Board of Supervisors Regular meeting was adjourned at 5:08 pm.

Respectfully submitted by

Stephanie J. Mason  
Secretary