

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

July 1, 2008
Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, July 1, 2008 at 7:40 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA.

Present:

Frank Froio
Stacey Mulholland
Thomas Alvare
Carolyn McCreary
Jonathan Reiss, Esq.
Timothy Fulmer, P.E.

Chair
Vice Chair
Member
Township Manager
Township Solicitor
Township Engineer

Absent:

Vince Formica
Housley Carr

Treasurer
Secretary

Chairman Frank Froio called the meeting to order at 7:30 p.m. asking for a moment of silence and leading the Pledge of Allegiance.

ANNOUNCEMENTS AND CALENDAR: The Board's next meeting is July 15. The EAC meets July 10 at 7:30 PM. The Planning Commission meets on July 17.

PUBLIC COMMENT: None

PUBLIC HEARING: Mr. Froio opened the public hearing for Plumstead Christian School conditional use application for the property located at 5765 Old Easton Road, and turned the hearing over to Mr. Reiss. A court reporter was in attendance to transcribe the hearing. Mr. Reiss reminded the Board that the applicant would still be required to go through the normal subdivision and land development process. Mr. Reiss stated the applicant had appeared before the Planning Commission on June 19. He then entered various documents into the record as Township exhibits. Jeffrey Drake, Esq. represented the applicant and sought testimony from the witnesses. **Motion** made by Mr. Alvare, seconded by Ms. Mulholland to accept the conditional use application with waivers from submission requirements for a water impact study, traffic study, and a plot plan identifying existing and manmade features within 500 feet of the property. With no additional comment, all voted in favor 3-0. There being no public comment, the hearing was closed at 8:40 p.m. **Motion** made by Mr. Alvare, seconded by Ms. Mulholland to accept the conditional use application subject to a written decision from the Zoning Hearing Board granting the variances requested. With no additional comment, all voted in favor 3-0.

ENGINEER'S REPORT: C. Robert Wynn, P.E.

- a. **Simonis Minor Subdivision:** This matter was tabled, as the applicant was not present.
- b. **Plumsteadville Shopping Center:** Mr. Fulmer advised the Board that the applicants had met with Township staff to discuss the submission where it was recommended that the applicant submit a revised sketch plan. Mike Carr, Esq. represented the applicant and outlined the plans for the shopping center, while asking for Board consensus about whether the plan would be viewed as a brand new submission, a revised preliminary plan, or a final plan. Mr. Carr indicated the applicant is willing to adhere to current Township lighting requirements, and ensure adequate shade trees on the parking islands. Mr. Fulmer stated the stormwater principles are the same as the current preliminary plan. The Board discussion focused on a proposed Dunkin Donuts with a drive-thru. Mr. Carr advised the Board that the applicant would actively pursue public water options that may currently be available. It was the consensus of the Board to treat the submission as a revised preliminary plan held to the ordinance standards at the time of the original filing, but sent to the Planning Commission for a full review. **Motion** made by Ms. Mulholland, seconded by Mr. Alvare that any proposed changes to the preliminary plan be submitted to the Planning Commission for review, and the

modified plan receive any and all relief from the Zoning Hearing Board, and the modified plan meets the requirements of the current Township lighting ordinance, and the modified plan applies the shade tree ordinance amendment to existing islands reflected on it. With no additional comment, all voted in favor 3-0.

- c. **Timberly Farm:** Mr. Fulmer provided an update to the Board on the outstanding landscaping issues. He recommended denial of the completion of the maintenance period until all of the landscaping has been completed. He stated it would not be wise to do any plantings in the summer months, as the trees could wither and die shortly thereafter. He indicated mid to late fall would be a more suitable time period. Mr. Fulmer also advised the Board that he believed there remained one outstanding item concerning the water system. Mr. Reiss informed the Board that Bucks County Water and Sewer Authority (BCWSA) has signed off on the sewer conveyance lines. **Motion** made by Ms. Mulholland, seconded by Mr. Alvare to deny completion of the maintenance period for site development bond per C. Robert Wynn and Associates, Inc. letter dated 06/25/08. With no additional comment, all voted in favor 3-0. **Motion** made by Ms. Mulholland, seconded by Mr. Alvare to decline the completion of the maintenance period for the Sewer and Water bond.

SOLICITOR'S REPORT: Jonathan Reiss, Esq.

Mr. Reiss stated that he had no items for the public meeting. He informed the Board that the Deremegis and Ferguson plans were available and required signatures. Additionally, he advised the Board of the need for an Executive Session to discuss a litigation matter.

ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager

- a. **Professional Services Agreement – Fred Beans Family of Dealerships:** **Motion** by Ms. Mulholland, seconded by Mr. Alvare to accept the professional services agreement. With no additional comment, all voted in favor 3-0.
- b. **Professional Services Agreement – Plumstead Christian School:** **Motion** by Ms. Mulholland, seconded by Mr. Alvare to accept the professional services agreement. With no additional comment, all voted in favor 3-0.
- c. **Professional Services Agreement – Stanton Properties LLC:** **Motion** by Ms. Mulholland, seconded by Mr. Alvare to accept the professional services agreement. With no additional comment, all voted in favor 3-0.
- d. **Authorization Voucher – Aqua Scapes Unlimited:** **Motion** by Ms. Mulholland, seconded by Mr. Alvare to authorize the release of the Letter of Credit per the recommendation of C. Robert Wynn & Associates Inc., Township Engineer. With no additional comment, all voted in favor 3-0.
- e. **Comprehensive Plan:** The Board discussed the request of the Planning Commission to begin preliminary work on updating the Township's comprehensive plan. **Motion** made by Mr. Alvare, seconded by Ms. Mulholland to direct the Planning Commission to initiate review of the Township's existing comprehensive plan and start the updating process. With no additional comment, all voted in favor 3-0.
- f. **Open Space Violation:** The Board reviewed the draft of the letter prepared by Louis Fineberg, Land Use and Planning Director. A minor change was suggested and Ms. McCreary stated she would relay it to Mr. Fineberg. It was the consensus of the Board for the letters to be sent as soon as possible.

PAYMENT OF BILLS: **Motion** by Mr. Alvare, seconded by Ms. Mulholland to approve payment of the July 1, 2008 bills list with the exception of the Earth Data invoice in the amount of \$4,168.64, and the addendum to bills list dated June 27, 2008 subject to audit. With no additional comment, all voted in favor 3-0.

MINUTES: Minutes of June 17, 2008 were not considered for approval as Ms. Mulholland was not present at that meeting. The minutes will be considered for approval at the next meeting on July 15.

OLD BUSINESS: None

NEW BUSINESS:

a. Supervisor's Issues:

- Ms. Mulholland presented a pamphlet designed by Solebury Township describing its Land Preservation Program, suggesting the Township may want to consider doing something like it.
- Ms. Mulholland requested the Board discuss the letters sent to them by the Township's Zoning Officer concerning illuminated signage and inflatable pools.
- Ms. Mulholland brought up the document the Township received from Earth Data. The Board discussed requesting Bruno Mercuri to review the input data, as the proposal from Earth Data dated 07/06/07 stated they would report directly to the Township and its consultant, Mercuri and Associates. The Board directed Ms. McCreary to forward the report to Dr. Mercuri with correspondence asking for a review with a not-to-exceed limit of \$800.
- Mr. Alvare asked Ms. McCreary for clarification concerning the spreadsheet she sent him and Mr. Formica relating to the Township's recent borrowings.
- Mr. Alvare asked what could be done about the well meters installed at Timberly Farm that are not functioning according to the Public Works Director.
- Mr. Alvare asked about a timeline for committee appointments. The Board will contact individuals who may be interested in serving and ask them to complete the necessary form found on the Township's website. The consensus of the Board was to make appointments at the July 24 work session.

ADJOURNMENT

Motion by Ms. Mulholland, seconded by Mr. Alvare with no further business anticipated, to adjourn into executive session at 10:40p.m. With no additional comment, all voted in favor 3-0.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date approved: