

# PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

August 5, 2008  
Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, August 5, 2008 at 7:40 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA.

## Present:

**Frank Froio**  
**Vince Formica**  
**Housley Carr**  
**Carolyn McCreary**  
**Jonathan Reiss, Esq.**  
**Timothy Fulmer, P.E.**

**Chair**  
**Treasurer**  
**Secretary**  
**Township Manager**  
**Township Solicitor**  
**Township Engineer**

## Absent:

**Stacey Mulholland**  
**Thomas Alvare**

**Vice Chair**  
**Member**

Chairman Frank Froio called the meeting to order at 7:35 p.m. asking for a moment of silence and leading the Pledge of Allegiance.

**ANNOUNCEMENTS AND CALENDAR:** The Board's next meeting is August 19. The EAC meets August 14 at 7:30 PM. The Planning Commission meets on August 21.

**PUBLIC COMMENT:** **Dan Hilferty, 5141 Craigs View** asked the Board why the open space at Timberly Farms was listed on the Township's website, but not identified on the Township map.

**PRESENTATION:** Mr. Michael Wolf of Boenning & Scattergood, Inc. presented information to the Board regarding the \$2.7 million they were proposing to borrow. He reminded everyone that this borrowing was part of the 2005 referendum placed before the voters in the Township and passed. The Board discussed funding alternatives including the term and type of the loan, the ability to pay it off early as part of a future larger borrowing, and the inclusion of language in the ordinance relating to interest rate swap agreements. Mr. Wolf advised the Board that the handout had been revised and included information on the Delaware Valley Regional Finance Authority. He highlighted the fact that this authority has provided 370 loans to local governments with an aggregate principal of \$2.4 billion. The Board asked Mr. Wolf to come back on August 19 with the information they requested. At that time the Board will consider authorizing the advertisement of the ordinance.

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

- a. **Tom Smith:** The applicant appeared with a representative from Showalter & Associates to discuss the proposed sketch plan for his property located at 4668 Durham Road. The applicant is seeking a motion to approve a waiver of land development. Mr. Reiss advised Mr. Smith that the Board would only review the sketch plan. Mr. Carr inquired about the historic status of the home. Mr. Wynn suggested the applicant return when they could supply more information on the existing structure and what is being proposed for the property. It was determined that relief from the Zoning Hearing Board will be necessary for the project to proceed.
- b. **Doylestown Animal Medical Clinic:** Mr. Wynn reviewed his firm's letter of 6/10/08 to the Planning Commission. The proposed building addition encroached into the side yard within the development center itself. Ed Wild Esq., the applicant's attorney was here on another matter and came forward to address the Board and answer questions and explain the application to the Zoning Hearing Board. It was the consensus of the Board to allow the Zoning Hearing Board to make the decision.
- c. **Huntington Valley Bank:** Mr. Wynn updated the maintenance period status, reviewing his firm's letter of 07/31/08. **Motion** made by Mr. Formica, seconded by Mr. Carr to release the

escrow subject to all outstanding bills being paid to the Township. Mr. Reiss advised Ms. McCreary that he believed the escrow is in the form of a letter of credit which will need to be returned to the issuing bank. With no additional comment, all voted in favor 3-0.

- d. **Plumstead Crossing:** Mr. Wynn advised the Board that he prepared Authorization Voucher 17a for \$11,649.37 citing his letter of 7/31/08. He stated this could be processed with the next group of checks once the Township received the voucher.
- e. **Fred Beans GM Center:** Mr. Wynn indicated this matter had been added to the agenda. Ed Wild, Esq. appeared for the applicant and stated that the final plan comments are either fully complied with or are being complied with. **Motion** made by Mr. Formica, seconded by Mr. Carr to grant final approval of land development subject to full compliance with the C. Robert Wynn letter dated 06/30/08. With no additional comment, all voted in favor 3-0.

**SOLICITOR'S REPORT: Jonathan Reiss, Esq.**

- a. **Debt Service Ordinance:** This matter was tabled based on the discussion following the presentation by Mr. Wolf.
- b. **Sauvigne-Zoning Hearing Board Application:** Mr. Reiss informed the Board that the property owner was issued a violation notice on 05/12/08 citing a fence being in the buffer area. No appeal from enforcement has been filed, and would have had to be done within thirty (30) days. Mr. Reiss advised the Board that he believes case law has shown that one cannot request zoning relief from and enforcement that was not appealed. Board consensus was to have Mr. Reiss appear before the Zoning Hearing Board to represent the Township.
- c. **Moore-Zoning Hearing Board Application:** Mr. Reiss advised the Board that the property owner requires variances from the lot area to include the buffer yard as they wish to subdivide the property. Board consensus was for Mr. Reiss to appear before the Zoning Hearing Board to contest the application.
- d. **Bucks County Water & Sewer Authority:** Mr. Reiss informed the Board that the Authority had filed an application for variances pertaining to the installation of the surge tank, which was previously presented to the Board at a meeting earlier this year. It was the consensus of the Board to authorize Mr. Reiss to send a letter to the Zoning Hearing Board making the two-lot consolidation a condition of the variance and special exception considerations.

Mr. Reiss advised the Board of the need for an Executive Session to discuss a litigation and real estate matter.

**ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager**

**Residential Rental Property Inspections:** Ms. McCreary advised the Board that Scott Leatherman had prepared a list of those items he believed should be included if the Board establishes an inspection process for rental units. The Board discussed the items, indicating which ones they found valid and which ones they thought were not safety-related. Mr. Reiss stated that Doylestown Borough had a similar process in place, and may be able to offer pertinent information. Ms. McCreary indicated she would speak to Mr. Leatherman about contacting them, and forward the information to the Board.

**PAYMENT OF BILLS:** **Motion** by Mr. Formica, seconded by Mr. Carr to approve payment of the August 5, 2008 bills list and the addendum to bills list dated August 5, 2008 subject to audit. With no additional comment, all voted in favor 3-0.

Ms. McCreary asked for Board consensus to release the check for Earth Data Northeast Inc. in the amount of \$4,168.64 previously presented for payment at the July 1, 2008 meeting. This check was held until the Board felt the work was more substantially completed. Ms. McCreary advised the Board that she and Alan Bleam, Public Works Director had met with Dave Fennimore of Earth Data on Thursday July 31 and she believes the study is now complete and ready for distribution to the Board of Supervisors. Board consensus was to release the payment.

**MINUTES:** Minutes of July 15, 2008 were not considered for approval as Mr. Froio was not present at that meeting. The minutes will be considered for approval at the next meeting on August 19.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**a. Supervisor's Issues:**

- Messrs. Formica and Carr indicated they had an item for Executive Session that would not require Board action.

**ADJOURNMENT**

**Motion** by Mr. Formica, seconded by Mr. Carr with no further business anticipated, to adjourn into executive session at 9:50 p.m. With no additional comment, all voted in favor 3-0.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date approved: