

**PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS**

**July 10, 2018**

**Meeting Minutes**

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, July 10, 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

**Peter Busillo**

**Vice Chair and Treasurer**

**Nick Lykon**

**Secretary**

**Daniel Hilferty**

**Asst. Secretary/Asst. Treasurer**

**Jonathan J. Reiss, Esq.**

**Township Solicitor**

**Timothy Fulmer, P.E.**

**Township Engineer**

**Carolyn McCreary**

**Township Manager**

Absent:

**Brian Trymbiski**

**Chair**

**Darren Carroll**

**Member**

Vice Chair Busillo called the meeting to order at 7:30 p.m. followed by a moment of silence and the Pledge of Allegiance.

**CALENDAR AND ANNOUNCEMENTS:**

The EAC meeting scheduled for July 11 is cancelled. The Historic Advisory Committee meeting scheduled for July 16 is cancelled. The Planning Commission meets on July 19. The Board of Supervisors Worksession scheduled for July 26 is cancelled.

**PUBLIC COMMENT:** Ed Brouillet, 434 Bergstrom Road spoke to the Board about issues he has with activity at Allohaken Park. He stated he and other neighbors spoke to the Board in 2016 and money was budgeted in 2017 for a fence and backstop, and removed during the budget process. He stated he learned of the decision to not replace the fence again this year, noting there was nothing in the minutes indicating why the Board did not award the bid. He cited instances of trespassing on his property, and asked for something in writing from the Township outlining what will be done about the problems he identified.

**PUBLIC HEARING:** Well Ordinance Amendment

Mr. Reiss provided an overview of the ordinance amendment, which had previously been reviewed and discussed by the Board prior to authorizing it for advertisement. He advised the proposed ordinance amendment had been properly advertised, with a legal notice being posted at the Township building and copies of the ordinance available for public inspection at the Township building and The Intelligencer. Mr. Busillo opened the public hearing, and noting there was no public comment closed the hearing. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to adopt Ordinance 2018-04. Mr. Lykon sought clarification on several items. With no additional comment, all voted in favor 3-0.

**ENGINEER'S REPORT:** Timothy Fulmer, P.E.

- 1. Tague Land Development:** Ed Murphy, Esq. and Kristin Holmes P.E. spoke to the Board on behalf of the applicant. Mr. Fulmer noted the project received preliminary approval in January, 2017. He pointed to his review letter dated 06/05/18 and the minutes from the Planning Commission meeting in June for the Board's reference. Mr. Murphy stated his client has no issue with the comments, and

is seeking one additional waiver to not have to provide new landscaping in the proposed parking lot. The Board discussed constructing the additional parking versus reserving it for future construction. **Motion** by Mr. Lykon, seconded by Mr. Hilferty to grant the waiver request subject to either the reservation of the additional parking being accomplished per requirements of Section 27-2502 of the Zoning Ordinance; or alternately, the landscape design being reviewed by the Township Engineer to determine that the intent of the parking lot shading requirement of the Land Development Ordinance have been met using proposed and/or existing plantings on the property. With no additional comment, all voted in favor 3-0. **Motion** by Mr. Lykon, seconded by Mr. Busillo to grant final approval of the land development plan conditioned on the comments set forth in the C. Robert Wynn Associates review letter dated 06/05/18. With no additional comment, all voted in favor 3-0.

2. **Macri Subdivision:** John VanLuvanee, Esq. appeared before the Board accompanied by Mr. and Mrs. Macri. Mr. Fulmer reviewed the details of the 1995 subdivision plan and the note on it allowing a shared driveway to remain as long as both parcels that were part of the subdivision remained owned by the family members. Mr. VanLuvanee stated his clients are requesting the Board to allow the shared driveway to remain regardless of the ownership of either lot, noting it made more sense than constructing a second driveway. Mr. Reiss advised the Board he does not have any issues with the proposed access easement language provided by Mr. VanLuvanee. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the amendment to the previously recorded subdivision plan, maintaining the shared driveway regardless of ownership, and removing the notes in conflict with this decision conditioned on a survey being done, and an access easement being executed. With no additional comment, all voted in favor 3-0.
3. **Plumstead Christian School:** Mr. Fulmer informed the Board the project has been successfully completed, with the landscaping inspected by the Township's arborist, and they may consider accepting the improvements and authorizing commencement of the 18-month maintenance period. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to accept completion of the project and authorize the commencement of the 18-month maintenance period per the C. Robert Wynn Associates letter dated 06/08/18. With no additional comment, all voted in favor 3-0.

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

1. **Enforcement Action – 4853 Tollgate Road:** Mr. Reiss informed the Board the property owner has done extensive work in the Township right-of-way and failed to obtain the necessary review and permits. He stated Alan Bleam, the Public Works Director, photographed the area and spoke to the owner, advising he must cease work. Mr. Bleam reported that additional work was done since that conversation. Ms. McCreary noted PECO had been contacted because of concern regarding the structural integrity of the pole in the area. The County Conservation District was also contacted. Mr. Reiss sought Board authorization to file a summary citation against the property owner. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to authorize the filing. The Board discussed giving the owner the opportunity to come into compliance with the ordinance. With no additional comment, the vote was 2-1 with Mr. Lykon dissenting. Because only three members were present, the motion failed. The Board also discussed allowing Mr. Reiss to file the citation if the owner fails to respond to the Mr. Reiss' correspondence.

Mr. Reiss stated he had one item for Executive Session involving potential litigation.

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

1. **Authorization Vouchers – Hostvedt Subdivision:** Ms. McCreary authorization voucher no. 4 dated 06/26/18 in the amount of \$64,210.50 for erosion control, earthwork and storm sewer. **Motion** by

Mr. Hilferty, seconded by Mr. Lykon to approve the authorization voucher. With no additional comment, all voted in favor 3-0. Ms. McCreary presented authorization voucher no. 5 dated 06/26/18 in the amount of \$9,746.60 or the contingency release. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the authorization voucher. With no additional comment, all voted in favor 3-0. Ms. McCreary presented authorization voucher no. 6 dated 07/02/18 in the amount of \$2,563.39 payable to C. Robert Wynn Associates for construction observation and escrow administration. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the authorization voucher. With no additional comment, all voted in favor 3-0.

2. **Authorization Voucher – Rite Aid Land Development:** Ms. McCreary presented authorization voucher no. 10 dated 06/28/18 in the amount of \$194.63 payable to C. Robert Wynn Associates for construction observation and escrow administration. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the authorization voucher. With no additional comment, all voted in favor 3-0.
3. **2019 Open Space Mowing Bid:** Ms. McCreary informed the Board the Public Works Director would like to put the mowing out for bid in early Fall. He is seeking Board direction with regards to further reductions in the areas being mowed. Board consensus was to review the details at their July 24 public meeting.
4. **Southern Water System:** Ms. McCreary reviewed details of the estimated cost to connect the southern portion of the Township to the Forest Park water treatment plant in lieu of expanding the connection with Doylestown Township Municipal Authority, and upgrading the Summer Hill water system. The estimated total cost of the project is \$5.5 million with North Wales Water Authority, Metropolitan Development, and the Township sharing in the cost. The Board discussed potential cost saving in operations, and the purchase price of wholesale water. They also considered the costs relating to improvements that will be required for the Summer Hill system estimated to be about \$1 million. Board consensus was for Ms. McCreary to contact representatives of Metropolitan and discuss the proposal.
5. **Plumsteadville Cemetery:** Ms. McCreary advised the Board she spoke with Dr. Joseph Campbell, the Bucks County Coroner, about the County's for the Township to allow a mausoleum to be placed in the Plumsteadville Cemetery for the purpose of interring unclaimed remains. She stated the County is willing to post the escrow required for the Township to make application as a cemetery company since legislation has not been passed which would exempt municipalities from the current requirements. She noted the size and construction materials will need to be determined; and sought Board consensus to move forward collecting this information. Board consensus was to obtain more information and report back to them at a future public meeting.

**PAYMENT OF BILLS:** **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the bills list dated 07/10/18 and the addendum dated 07/10/18 subject to audit. With no additional comment, all voted in favor 3-0. The amounts on the bills list are as follows: General Fund - \$107,243.39, Water Fund - \$15,293.86, Local Services Tax Fund – \$38,355.00 (addendum), Capital Reserve Fund - \$5,000.00, State Liquid Fuels Fund - \$720.49, Developer's Escrow Fund - \$1,943.42, Construction Escrow Fund – \$4,700.00, Zoning Hearing Board Escrow - \$241.67

**APPROVAL OF MINUTES:** **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the minutes of the 06/26/18 meeting. With no additional comment, all voted in favor 3-0.

**OLD BUSINESS:** Carriage Hill Subdivision – Secondary Access

The Board discussed the Gordon Road access evaluation done by Dave Horner, the Township’s traffic engineer, and the possibility of converting the existing emergency access into the development into a secondary access point for the residents. After reviewing Mr. Horner’s conclusions Board consensus was to table the matter to a future public meeting when all five Supervisors are present.

**NEW BUSINESS:** None

**PUBLIC COMMENT:**

**ADJOURNMENT:** Motion by Mr. Hilferty, seconded by Mr. Lykon, to adjourn into Executive Session at 9:15 p.m. With no additional comment, all voted in favor.

Respectfully submitted,

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Carolyn McCreary, Township Manager

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Date Approved