

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS
September 11, 2018
Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, September 11, 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

Brian Trymbiski	Chair
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:

Darren Carroll	Member
-----------------------	---------------

Mr. Trymbiski called the meeting to order at 7:30 p.m. and read notification of the death of Connor Bednarzyk, First Lieutenant in the U.S. Army, and a former resident of the Central Bucks region who died in a vehicle accident during training. This was followed by a moment of silence in his honor, as well as for those who lost their lives on September 11, 2011 and the Pledge of Allegiance.

CALENDAR AND ANNOUNCEMENTS:

The EAC meets on September 12. The Historic Advisory Committee meets on September 17. The Planning Commission meets on September 20. The Board of Supervisors Worksession scheduled for September 27 is cancelled. The Planning Commission will meet on September 27 to continue their review of a proposed Overlay District for the Plumsteadville Village.

PUBLIC COMMENT: Kevin Gray, 5431 Windtree Drive, spoke to the Board about recently issued fence permits in his neighborhood and his belief they violate the covenants of the development, and how he was told the Township cannot enforce the covenants. Scott Gluck, 5450 Windtree Drive, asked what the next steps would be after the Board listens to the residents' statements. Steve Barrett, 5435 Michael Court, addressed the Board concerning the reductions made to the open space mowing plan to save costs, which was discussed and decided at their July 24 public meeting. Andrew Weber, 5434 Michael Court, told the Board when the subdivision was dedicated the open space was being mowed regularly, which is why the residents mowed it, and why it was mowed weekly by the Township's contractor. Tim ODonnell, 5427 Weyhill Lane, stated he has lived in the Windtree development for 14 years and while the neighbors may have wanted things like fences or pools, they honored the covenants put in place by the builder. He asked if there is a public notice required when a building permit application is made.

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

1. **5280 Old Easton Road Major Subdivision:** Matt McHugh, Esq., Art Corsino (developer), Kristin Holmes, P.E., and Joseph Bonargo (property owner), were in attendance. Mr. McHugh reviewed the details of the proposed subdivision plan, noting the Planning Commission had recommended

preliminary approval at their July meeting. Mr. Fulmer provided an overview of the review letters from the Township professionals and the waiver requests. It was noted the plan received approval for seven (7) EDUs last year, but will only need five (5). Mr. McHugh advised the site distance easement with a neighboring property owner has been approved in concept. If not approved, lots no. 2 and 3 will share a driveway. He stated they are seeking preliminary plan approval and approval of the requested waivers. Mr. Hilferty stated he does not like the proposed layout with five driveways along Old Easton Road because of the winding nature of the road, and the speed of motorists. Mr. Lykon asked Mr. Fulmer to speak about the waivers requested and Mr. Fulmer noted his review letter dated 07/12/18, specifically item 4. (A. thru I.). Mr. Lykon asked questions about each of them, stating he would like to see the roadway widened in the area of the proposed subdivision. Ms. Holmes noted potential detrimental issues with the ditches and potential relocation of utility poles. Michael Philips, 5303 Old Easton Road stated he is concerned about drainage, runoff and the safety of new residents pulling out onto Old Easton Road. He told the Board he has a 680' well and is concerned about new wells drawing from the same aquifer and impacting his well. The Board discussed each of the waivers requested. **Motion** by Mr. Lykon, seconded by Mr. Busillo to grant the waiver to show all existing features within 100 feet of the site to be shown on the plan. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Lykon, seconded by Mr. Busillo to permit the proposed lot lines between lots no. 5 and 6 to contain a non-perpendicular end from the front to the rear of the lot. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Lykon, seconded by Mr. Busillo to require cartway widening proposed in a manner acceptable to the Township based on the Township Engineer's review. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Lykon, seconded by Mr. Busillo to waive the requirement for curb and sidewalk with their cost estimate being submitted to the Township for review by the Township Engineer, and remittance of a capital contribution representing 50% of the value of the improvements. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Trymbiski, seconded by Mr. Busillo to waive the requirement for demonstrating lack of feasibility for on-site septic systems conditioned on a conservation easement being placed on lot no. 6 for the preservation of the farmhouse, and a façade easement for the existing structures on lot no. 6. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Lykon, seconded by Mr. Busillo to waive the requirement to provide land for parks & recreation use, and instead accept a capital contribution (fee in lieu of) of \$10,390 representing \$2,078 per building lot. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Lykon, seconded by Mr. Busillo to deny the request for a waiver of requiring existing impervious surfaces to be considered as meadows for the purpose of analyzing compliance with the Township's Stormwater Management Ordinance. With no additional comment, all voted in favor 4-0. **Motion** by Mr. Lykon, seconded by Mr. Busillo to waive the prohibition of private residential driveways from accessing onto a major collector road. The applicant stated he has an easement agreement in principle with a neighboring property owner, but if it cannot be finalized they will look at a shared driveway for two of the homes. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Lykon, seconded by Mr. Busillo to grant the waiver request for permit a reduced distance between the tree protection fence and two trees being preserved near the driveway of lot no. 5. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting. **Motion** by Mr. Busillo, seconded by Mr. Trymbiski, to grant preliminary approval as recommended by the Planning Commission at their 07/19/18 meeting subject to compliance with the C. Robert Wynn Associates

review letter dated 07/12/18, noting the above referenced action regarding requested waivers, the Gilmore & Associates review letter dated 07/12/18, the Horner & Cantor review letter dated 08/08/18 and the Keystone Tree Experts review letter dated 07/11/18. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting.

SOLICITOR’S REPORT: Jonathan Reiss, Esq.

- 1. Public Hearing: Fireworks Sales Zoning Ordinance Amendment (2018-06):** Mr. Reiss advised the Board the proposed amendment had been properly advertised and made available for public inspection. He reminded the Board the Township and County Planning Commissions have reviewed the proposed ordinance amendment, noting the County Planning Commission identified an issue with the original amendment, and it was modified and reviewed again by the Planning Commissions, and recommended for adoption. The Board reviewed this at their August 14 public meeting and authorized it for advertisement. The hearing was opened and closed with no public comment, and no comment or questions by the Board. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to adopt Ordinance 2018-06. With no additional comment, all voted in favor 3-0, as Mr. Lykon had stepped out of the room.

ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager:

- 1. Authorization Voucher – Donner Pass East Subdivision:** Ms. McCreary presented authorization voucher no. 19 dated 09/05/18 in the amount of \$433.23 payable to C. Robert Wynn Associates for construction observation and escrow administration. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the authorization voucher. With no additional comment, all voted in favor 4-0.
- 2. Authorization Voucher – Hostvedt Subdivision:** Ms. McCreary presented authorization voucher no. 10 dated 09/05/18 in the amount of \$755.01 payable to C. Robert Wynn Associates for construction observation and escrow administration. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the authorization voucher. With no additional comment, all voted in favor 4-0.
- 3. Length of Service Recognition:** Ms. McCreary presented Resolution 2018-27 recognizing Cpl. Patrick McKee for 25 years of service with the Plumstead Township Police Department. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to adopt Resolution 2018-27. With no additional comment, all voted in favor 4-0.
- 4. Length of Service Recognition:** Ms. McCreary presented Resolution 2018-28 recognizing Cpl. Thomas Cuba for 25 years of service with the Plumstead Township Police Department. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to adopt Resolution 2018-27. With no additional comment, all voted in favor 4-0.
- 1. 2019 NonUniform Pension Plan MMO:** Ms. McCreary presented the calculation for the NonUniform Pension Minimum Municipal Obligation for calendar year 2019 in the amount of \$176,513.00. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to accept the MMO for 2019 for the NonUniform Pension Plan. With no additional comment, all voted in favor 4-0.
- 5. 2019 Uniform Pension Plan MMO:** Ms. McCreary presented the calculation for the Police Pension Minimum Municipal Obligation for calendar year 2019 in the amount of \$360,073.00. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to accept the MMO for 2019 for the Uniform Pension Plan. With no additional comment, all voted in favor 4-0.
- 6. 2019 Proposed Capital Projects & Purchases:** Ms. McCreary reviewed the details of the proposed capital expenditures for the Police, Public Works, and Administration. She explained if the Board was opposed to any of the purchases they would be removed and not be incorporated into the budget. The Board asked questions concerning the reasons for some of the proposed expenditures,

what savings or efficiencies would be realized, and what if any items were being replaced with the new purchases. Mr. Lykon asked if the proposed upgrade to the meeting room sound system would allow Supervisors to call into a meeting in the event they cannot attend. Ms. McCreary informed the Board she contacted the Township's Traffic Engineer to determine the cost to implement the first part of the Township-wide trail plan, which involves connectivity to Bedminster Township and Dublin Borough utilizing Applebutter Road. She noted the cost will be between \$4,500 to \$6,500 depending on how many signs and road markings are placed. It was noted that section 3, while on Applebutter Road, is maintained by Bedminster and would require their permission to place any road markings and signage. The Township maintains the road from Haring westward. It was noted \$50,000 had been budgeted in 2018 for potential trail connections. **Motion** by Mr. Lykon, seconded by Mr. Hilferty to install the signs and markings for trail sections 1 and 3. With no additional comment, the vote was 3-1 with Mr. Busillo dissenting.

7. **Update on Grant Applications:** Ms. McCreary reviewed the status of the current grant applications, noting when they would likely be reviewed and awarded. She noted the years where the required matches would have to be expended if the Township were to receive the grants for the Plumsteadville Village improvements, the Summer Meadow streambank restoration, and the Cross Keys signalization projects. She stated the match in the current year's budget is \$198,866 which pertains to the DCNR grant awarded for the Gardenville Fields improvement project. This project is expected to get underway at the end of the month.
8. **Parks & Recreation Committee Vacancy:** Ms. McCreary advised the Board a resident had contacted the Township about the vacancy. She indicated he has already completed the Statement of Interest and attended the meeting on the 10th. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to appoint Nicholas Iaquinto to the Parks & Recreation Advisory Committee. With no additional comment, all voted in favor 4-0.
9. **Plan Review Extension – 3617 and 3633 Ferry Road:** Ms. McCreary informed the Board the Township had received an extension of the plan review period until December 31, 2018.
10. **Plan Review Extension – 3750 Curly Hill Road:** Ms. McCreary informed the Board he Township had received an indefinite extension of the plan review period.
11. **Bid Timelines:** Ms. McCreary informed the Board bid for the 2019 open space mowing, the Allohaken Park fence replacement and irrigation of baseball field #1 at Hanusey Park will be opened on October 9 with a recommendation to the Board at their October 23 public meeting.
12. **Annual Tree Lighting:** Ms. McCreary informed the Board the Parks & Recreation Committee discussed the tree lighting ceremony and are recommending the Township move the event to Hanusey Park. This year's tree lighting will be scheduled for Friday, December 7 and the emergency service providers have been contacted in order to plan for Santa's arrival on the fire truck.

Ms. McCreary stated she had two items for Executive Session, one involving personnel and the other involving litigation.

PAYMENT OF BILLS: **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the bills list dated 09/11/18 subject to audit. With no additional comment, all voted in favor 4-0. The amounts on the bills list are as follows: General Fund - \$51,170.36, Water Fund - \$16,566.42, Local Services Tax Fund - \$197,113.22, State Liquid Fuels Fund - \$2,248.01, Developer's Escrow Fund - \$12,588.49, Construction Escrow Fund – \$3,300.00, Zoning Hearing Board Escrow Fund - \$61.97

APPROVAL OF MINUTES: Motion by Mr. Hilferty, seconded by Mr. Busillo to approve the minutes of the 08/28/18 meeting. With no additional comment, all voted in favor 4-0

OLD BUSINESS:

Trail Advisory Committee: Ms. McCreary reviewed details of the resolution, which if adopted would have five residents serve on the Committee, and change the Committee’s responsibilities to work with Township staff and professionals on grant applications, and identify and communicate with residents about future trail connections on or near their properties. She stated with the adoption of the Township-wide trail plan these changes would more accurately reflect the role of the Committee. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to adopt Resolution 2018-29. With no additional comment, all voted in favor 4-0.

Parks & Recreation Advisory Committee: Ms. McCreary reviewed her suggestions for the role of the Committee based on the Board’s discussion at their last public meeting. She stated she had shared this with the Committee at their most recent meeting, and all were supportive of the outlined responsibilities. These include recommending the introduction of new parks and recreation programming they believe would be desirable for the residents, providing recommendations to the ongoing maintenance needs of the parks, playing fields or playground facilities, recommending plans for future facility development, assisting the Township staff with grant applications relating to parks & recreation facilities, assisting the Township staff with procuring sponsorship for Township events and assisting the Township staff at parks & recreation programs or events as needed. Consensus of the Board was for the Solicitor to draft an amendment to the Ordinance authorizing the Park and Rec Board to be reviewed at a subsequent meeting.

NEW BUSINESS:

Hanusey Park: Mr. Lykon spoke to the Board about allowing advertising on the outfield fencing at the park, stating this could be a new and steady source of revenue for the Township. He noted almost all other ballfields have signage on the fencing, many times advertising local businesses in the area. He asked for and received Board consensus for staff to obtain information from other communities to be presented to the Board at a future meeting. Mr. Lykon also suggested the Township investigate the cost to convert the lights at the park to LED and the estimated savings for doing so.

PUBLIC COMMENT: None

ADJOURNMENT: Motion by Mr. Hilferty, seconded by Mr. Lykon, to adjourn into Executive Session at 10:35 p.m. With no additional comment, all voted in favor 4-0.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date Approved