

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

March 13, 2018

Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, March 13, 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

Stacey Mulholland

Chair

Brian Trymbiski

Vice Chair

Nick Lykon

Secretary

Peter Busillo

Treasurer

Daniel Hilferty

Asst. Secretary/Asst. Treasurer

Jonathan J. Reiss, Esq.

Township Solicitor

Timothy Fulmer, P.E.

Township Engineer

Carolyn McCreary

Township Manager

Chairperson Mulholland 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 meets on March 14 at the Community Building in Hanusey Park. The Planning Commission meets on March 15. The Historic Advisory Committee meets on March 19. The Board of Supervisors Worksession scheduled for March 29 is cancelled.

Ms. Mulholland announced that the Board of Supervisors had met in Executive Session earlier in the evening to discuss a matter relating to litigation.

PUBLIC COMMENT: None

DISCUSSION – METROPOLITAN PROPOSED DEVELOPMENTS: Robert Gundlach, Esq. spoke to the Board on behalf of his client. Also in attendance were Mike Tulio of Metropolitan, and consultants Scott Mill and Fred Ebert. Mr. Ebert reviewed the details of the project and how it is proposed to be served by public water, referencing his 02/27/18 letter and report. He noted that the water improvements would only service the three parcels that are part of this project. Mr. Lykon spoke about the cost of purchasing water from the Doylestown Township Municipal Authority (DTMA) compared to using Township wells and drawing it directly from the ground. Mr. Reiss referenced the settlement agreement with Heritage that specifically references the water system improvements that were agreed to at the time. Mr. Tulio noted that the prior agreement involved only the Summer Hill water system and the Urich Tract. Board consensus was they wanted to see a proposal that would be the best for the Township, and not solely the future residents in these developments. Mr. Trymbiski inquired about the proposed \$400,000 savings that would be realized by taking the water lines through Hanusey Park instead of running the line in Gordon Road. Mr. Ebert stated he misspoke at the proper meeting, and the savings would be about \$240,000. He stated that the value of the improvements at the Plumsteadville Volunteer Fire Co. is about \$200,000. **Motion** by Mr. Lykon, seconded by Mr. Hilferty to have Gilmore & Associates and Public Utility Enterprises work with

Township staff to evaluate improvements to the Township's Summer Hill water system in conjunction with the Metropolitan public water system proposal. With no additional comment, all voted in favor.

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

1. **Altomonte's Land Development Waiver:** Vincent Crispino (owner) and Bob Showalter spoke to the Board about the proposal to install two coolers on the exterior of the building, relocate the dumpsters, and change the parking spaces to be angled to create more spaces. They also spoke about a plan to change the entrance and exit to one-way. Mr. Fulmer explained that because this is a commercial property the proposed modifications are considered land development. He noted that if the Board chose to grant the waiver building and zoning permits would still be required. He advised the Board that the Planning Commission had recommended approval of the waiver request. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to grant the land development waiver conditioned on the C. Robert Wynn Associates letter dated 01/22/18. With no additional comment, all voted in favor.
2. **Fred Beans Subaru Land Development Waiver:** Ed Wild, Esq., accompanied by Mr. Beans, spoke to the Board about the details of the application and shared a rendering of the building. He spoke about the work that is already underway through the building permit process. Scott Mill reviewed the long-term land development plan for the site, showing it as it currently exists and plans for the rear of the property. Mr. Fulmer directed the Board's attention to items no. 2 and 4 on his review letter concerning the installation of sidewalk and the cleanup of the rear of the property. Mr. Beans indicated he wishes to place escrow to guarantee the installation of the sidewalks because of the potential changes to the driveway that is shared with Altomonte's. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to grant the land development waiver conditioned on the C. Robert Wynn Associates letter dated 01/30/18 and the Grim Biehn & Thatcher letter dated 02/20/18 which documented the Planning Commission's recommendation and conditions. With no additional comment, all voted in favor.
3. **Second Baptist Church-Sewage Facilities Planning Module:** Mr. Fulmer reviewed the details of the planning module, noting that the church has identified an alternative method to eliminate the holding tank currently being used. The change requires an Operations and Maintenance (O&M) Agreement with the Township before the planning module can be sent to PADEP for review and approval. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to adopt Resolution 2018-12 and authorize the Township Secretary to sign it. With no additional comment, all voted in favor. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the O&M agreement. With no additional comment, all voted in favor.
4. **Garden Village:** Mr. Fulmer reviewed the details of the completion of the maintenance period, noting the need for an extension for the trees, and the calculation that was used to determine a \$12,000 escrow. He stated that the landscape maintenance period expires on 04/30/18 and the developer has forwarded a check in the amount of \$12,000. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to accept completion of the maintenance period with the exception of the landscaping, which will require an inspection by the Township's appointed arborist and replacement of any landscaping he deems necessary. With no additional comment, all voted in favor.
5. **Gardenville Fields:** Mr. Fulmer provided an update to the Board on the plans being developed and the timeframe to submit them to DCNR for approval before putting the project out to bid. He noted the involvement of Township staff and the Township's arborist. He stated that the E&S permit

application had been submitted to Bucks County Conservation District. Mr. Fulmer stated that he hopes the construction will be underway in mid to late summer.

SOLICITOR’S REPORT: Jonathan Reiss, Esq.

1. **Fireworks Ordinance:** Mr. Reiss noted that he had previously discussed the changes in the fireworks laws within the state as a result of Act 43. He referred to a memorandum from his office that provided more details, noting the Board may need to make amendments to the Township Zoning Ordinance in order to provide for the use of temporary fireworks sales. Board consensus was to permit this in the commercially zoned areas along Route 611 and Route 313 in the Cross Keys area of the Township for temporary and permanent sales. They also discussed requiring a conditional use versus a special exception. Mr. Reiss indicated he would draft amendments to the necessary ordinances and circulate them to the Board for review and discussion at an upcoming public meeting.

ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager:

1. **County Request for Mosquito Control:** Ms. McCreary informed the Board that the Township had received the annual request from the County seeking Township permission to spray Township property if it becomes necessary because of concerns about the West Nile Virus. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the request. With no additional comment, the voter was 4-1 with Mr. Trymbiski dissenting.
2. **PECO Green Region Grant Application:** Ms. McCreary presented Resolution 2018-11, which if adopted would approve the Township’s application for a \$10,000 grant for Phase II of the Summer Meadow Streambank restoration project. She noted there is no required match for this grant and the deadline to apply has been extended to 03/31/18. **Motion** by Mr. Hilferty, seconded by Mr. Trymbiski to adopt Resolution 2018-11. With no additional comment, all voted in favor.
3. **Water Rate Increase:** Ms. McCreary presented a proposed 5% rate increase for residential customers. She reminded the Board that the last increase was in 2015, and when the Board hired a consultant to perform a rate study in addition to recommending a double-digit increase to ensure that the revenue received covered all the costs for the water system, he also recommended that the Township evaluate its rates every couple of years to ensure that it is still covering its operating costs. Ms. McCreary reviewed the proposed rates, comparing them to the current rates and those in place in 2012. She also showed the Board what the increase would represent to the average customer who used 14,000 gallons in a quarter. The Board discussed the proposed rates with Mr. Lykon asking if they could be adjusted so as not to change the base cost. Ms. McCreary reminded the Board that the base cost was for residents using up to 5,000 gallons and was in place to cover the fixed costs relating to providing public water service to a property. Included in the cost are chemicals, electric to run the pumps, wages and required monitoring and reporting. She also noted that since water usage varies each year based on a number of factors, a 5% rate increase does not guarantee a 5% increase in revenue. Ms. McCreary stated she would adjust the rates and bring them to the Board at a future meeting.
4. **Camp Ockanickon Well:** Ms. McCreary informed the Board that per their direction she had contacted Pennoni Associates and spoken to one of their hydrogeologists about the proposed hydrofracturing of a well at the camp. She stated that they will review all of the available documents and provide a recommendation to the Township concerning any additional monitoring of adjacent wells, and outline what the Boy Scouts must do to be in compliance with the Township well ordinance.

5. Public Water Connections: Ms. McCreary advised the Board that she had been contacted by a representative of Aqua Terra Technologies informing her that on behalf of Wawa, Inc. and the PA Underground Storage Tank Indemnification Fund they are no longer interested in pursuing public water service to the Wawa (5854 Easton Rd.), La Rancherita (5878 Easton Rd.), Plumsteadville Volunteer Fire Co. (5064 Stump Rd.) and the Witney (Sherwin) property (4961 Stump Rd.) due to the estimated cost of the connections.

PAYMENT OF BILLS: **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the bills list dated 03/13/18 subject to audit. With no additional comment, all voted in favor. The amounts on the bills list are as follows: General Fund - \$103,122.72, Water Fund - \$13,489.22, Capital Reserve Fund - \$2,600.00, Flood Mitigation Grant Fund - \$14,210.00, State Liquid Fuels Fund - \$1,959.18, Construction Escrow Fund - \$2,850.00, Zoning Hearing Board Escrow - \$900.28

APPROVAL OF MINUTES: **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the minutes of the 02/27/18 meeting. With no additional comment, all voted in favor 4-0 with Ms. Mulholland abstaining as she was not in attendance at the meeting.

OLD BUSINESS:

Plumsteadville Village EDUs: Ms. McCreary reviewed details of the resolution that was shared with the Board at their last public meeting. She stated that the original resolution, if adopted would allocate 50 EDUs for properties in the Village that were zoned in the VC zoning district. She noted that following Board discussion she was asked to prepare a new resolution that would allocate 50 EDUs for any property in the Township that is in the VC zoning district and within the Township's Act 537 public sanitary sewer district. The Board discussed both options, with Mr. Lykon explaining his reasons for reserving EDUs for all VC district properties instead of only properties zoned VC within the Plumsteadville Village. Board consensus was for Mr. Fulmer to prepare a list of all properties zoned VC and VR within the Village with Ms. McCreary forwarding the list to Bucks County Water & Sewer Authority in order to determine how many EDUs are currently allocated to them.

Multi Modal Grant Application: Ms. McCreary reviewed the details of the proposed infrastructure improvements and costs relating to the Stump Road and Route 611 intersection and the area along both roads immediately adjacent to it that would be represented in an application for a grant. The Board discussed the cost of the improvements, the Township's required match and the opportunity to seek developer participation as various properties are sold and redeveloped in the Village. She noted that the application is due by March 31 so if the Board wishes to consider moving forward they would have to decide this evening. **Motion** by Mr. Trymbiski, seconded by Mr. Busillo to authorize the Township to apply for the grant in the current round of funding. With no additional comment, all voted in favor.

NEW BUSINESS:

Point Pleasant Fire Co.: Ms. McCreary informed the Board that Beth Carroll, the new President of the fire company contacted her to discuss a meeting with the Board. Board consensus was for Ms. McCreary to arrange for the meeting.

Ms. Mulholland stated that there would be a need for an Executive Session to discuss a matter pertaining to litigation and a real estate matter.

PUBLIC COMMENT: None

ADJOURNMENT: **Motion** by Mr. Hilferty, seconded by Mr. Trymbiski, to adjourn into Executive Session at 10:20 p.m. With no additional comment, all voted in favor.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date Approved