

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

August 14, 2018

Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, August 14 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

Brian Trymbiski

Peter Busillo

Nick Lykon

Daniel Hilferty

Darren Carroll

Jonathan J. Reiss, Esq.

C. Robert Wynn, P.E.

Carolyn McCreary

Chair

Vice Chair and Treasurer

Secretary

Asst. Secretary/Asst. Treasurer

Member

Township Solicitor

Township Engineer

Township Manager

Mr. Trymbiski 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 Planning Commission meets on August 16. The Historic Advisory Committee meeting scheduled for August 20 is cancelled. The Veterans Ad Hoc Committee meets on August 22. The Board of Supervisors Worksession scheduled for August 30 is cancelled. The Township's Movie Night is Friday, August 24 and Moana will be shown.

PRESENTATION: Mr. Trymbiski read Resolution 2018-24 which recognized Township resident and student Rishi Vaidyanath for his involvement with the Township's Environmental Advisory Council. The Board thanked him for his commitment to the community and presented the Resolution to him with his family and Tovah Karl, EAC Chair in attendance. **Motion** by Mr. Carroll, seconded by Mr. Hilferty to adopt Resolution 2018-24. With no additional comment, call voted in favor.

PUBLIC COMMENT: Linda Dyke, 3932 Ferry Rd., spoke to the Board about the proposed Wawa at Swamp and Ferry Roads and asked if the Board had decided to allow it. Meridy Jarin, 5039 Gayman Rd., asked about the Board's current position regarding the Wawa's appeal. She read from a statement she prepared for the Zoning Hearing Board when they were holding hearings concerning the proposed Wawa. Joseph Reinheimer, 3634 Ferry Rd., read from a statement regarding the proposed Wawa at Rt. 313 and Ferry Road addressing concerns to the Board. Victoria Halliday, 7249 Tohickon Hill Rd., spoke about the impact even small oil spills can have and questioned the appeal process. She stated she received a mailing about the issue. Deborah Rendon, a resident of New Britain Township and on their Planning Commission, spoke about the proposed Wawa and allowing underground fuel storage tanks at a watershed head. She encouraged the Board to continue to defend their zoning. Olympia Pasicznyk, 4923 Silo Hill Rd., asked the Board about the discussion that took place at the July 10 public meeting concerning the southern water system. Steve Heacock, 3674 Ferry Rd., stated he owns preserved property that abuts the proposed Wawa and the site lies within the Peace Valley watershed and remains opposed to the proposed land development. Harry Young, a resident of New Britain Township, stated the location is not a good place for a gas station, noting the developer is also looking at County Line Rd. and Butler Ave., which is more appropriate. Jim Moreno, a

resident of New Britain Township, suggested if the Board is tempted to settle the litigation they should give residents of the Township and neighboring Townships the opportunity to raise funds to assist with the fight. Barbara Schempp, a resident of Valley View Dr. in Doylestown Township, asked about the appeal process and the timeframe for the Court to make a decision.

PUBLIC HEARING: Agricultural Security District Application

Mr. Reiss identified the property located at 5801 Silo Hill Road (TMP 34-003-063) as being comprised of 35.15 acres. He reviewed the process noting the application was advertised as being received and accepted in May followed by a 15 day comment period with no comments being received. The application was forwarded to the County and Township Planning Commissions and the Township's Agricultural Committee with all recommending acceptance into the district. The inclusion of this property into the District will allow the owner to be eligible for County funds to preserve the land. Mr. Trymbiski opened and closed the hearing with no public or Board comment. **Motion** by Mr. Hilferty, seconded by Mr. Carroll to adopt Resolution 2018-25. With no additional comment, Resolution adopted 4-1 with Mr. Lykon dissenting.

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

1. **MS4 Pollution Reduction Plan:** Mr. Wynn spoke to the Board about a recent meeting with PADEP, noting every Township road has to be mapped and the outfall determined because the roads can convey stormwater. He stated due to the recent review of the Township's and other municipal Pollution Reduction Plans, DEP is requesting that a revised submission be done incrementally, with the next step being the submission of the revised map. Review and approval of the map by DEP will then be followed by additional work being done to meet the requirements of the program. Mr. Wynn stated the Township requested and received an extension from DEP and additional extensions will be permitted as long as there is evidence the necessary work is progressing. Mr. Wynn also discussed the costs to add the required information to the plan and indicated the annual report is due at the end of September.
2. **Ferry Road – Request for EDU:** Mr. Wynn reviewed the details of a request for connection to the public sanitary sewer system for a proposed single family home on Ferry Road (TMP 34-009-003). He noted there is a Zoning Hearing Board application for a use variance for this parcel. **Motion** by Mr. Hilferty, seconded by Mr. Carroll to table consideration of the request pending a written decision from the Zoning Hearing Board. Steve Heacock, 3674 Ferry Rd., stated he reviewed the site plan and is concerned the buffer shown against his preserved property is not what is required by the Township. With no additional comment, all voted in favor.
3. **Gayman Elementary School Maintenance Period:** Mr. Wynn advised the Board the remaining punchlist items relating to landscaping had not been completed. It was recommended the Board not accept completion of the maintenance period until the work is completed. He noted the Township currently retains a \$7,500 cash escrow to ensure completion of all the improvements. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to grant an extension of the maintenance period to November 30, allowing time for the two remaining punchlist items to be completed. With no additional comment, all voted in favor.
4. **Gardenville Fields – Bid Results:** Mr. Wynn reviewed the results of the bid for the improvements for Gardenville Fields, which were solicited through PennBid. Four companies submitted bids, with one bid being disqualified because it was incomplete. Mr. Lykon discussed the original budget submitted with the grant application compared to the budget prepared by the Township Engineer's office prior to the bidding. He noted the Township is trying to control costs, and tracking the money spent to

date on the engineered plan, and the improvements already done as part of the Township's required match. Mr. Hilferty asked why a company was listed as a potential bidder on PennBid with Mr. Lykon as the contact, stating a contractor reached out to him when he saw this and opted not to bid on the project. Mr. Lykon informed the Board he used his own login in order to view all the documents posted by the Township, and his company is not in a business related to this type of work. Mr. Trymbiski requested a login be set up by the Township for Mr. Lykon to be able to access this information in the future. **Motion** by Mr. Carroll, seconded by Mr. Busillo to award the bid for the Gardenville Fields Improvement Project to GoreCon, Inc., the lowest responsible bidder in the amount of \$335,279.54. With no additional comment, the vote was 4-1 with Mr. Hilferty dissenting.

SOLICITOR'S REPORT: Jonathan Reiss, Esq.

- 1. Zoning Hearing Board Application – Ferry Road:** Mr. Reiss informed the Board the applicant is seeking a use variance. Steve Heacock, 3674 Ferry Rd., asked a question about the site being changed to commercial use for the Ann Bailey property and the potential impact of changing it again. Joseph Reinheimer, 3634 Ferry Rd., stated he does not want the Township to allow this proposed use, noting it is next to his property. The consensus of the Board was to allow the Zoning Hearing Board make a decision based on the testimony presented with no input from the Township.
- 2. Fred Beans Subaru Land Development Waiver Agreement:** Mr. Reiss presented a land development waiver agreement and a memorandum of land development waiver agreement to the Board for the Subaru dealership, which will be located at the former Keenan Honda dealership. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the land development waiver agreement and the memorandum of land development waiver agreement. With no additional comment, all voted in favor.
- 3. Fireworks Sales Zoning Ordinance Amendment:** Mr. Reiss informed the Board the Township and County Planning Commissions have reviewed the proposed ordinance amendment and recommended approval. **Motion** by M. Hilferty, seconded by Mr. Busillo to authorize the advertisement of the proposed ordinance amendment. With no additional comment, all voted in favor 4-0, as Mr. Carroll had stepped out of the room.

ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager:

- 1. Plan Review Extension – 5280 Old Easton Road:** Ms. McCreary informed the Board the Township had received an extension of the plan review period until September 30, 2018.
- 2. Authorization Vouchers – Hostvedt Subdivision:** Ms. McCreary authorization voucher no. 7 dated 07/30/18 in the amount of \$1,868.21 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 4-0. Ms. McCreary presented authorization voucher no. 8 dated 07/31/18 in the amount of \$89,365.50 for erosion control, earthwork, and storm sewer. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the authorization voucher. With no additional comment, all voted in favor 4-0. Ms. McCreary presented authorization voucher no. 9 dated 07/31/18 in the amount of \$6,480.00 for contingency release. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the authorization voucher. With no additional comment, all voted in favor 4-0.
- 3. Allhaken Park – Fence Repairs:** Ms. McCreary reviewed details of the costs of repairs to the fence utilizing Public Works staff, estimating the cost to be between \$10,500 and \$11,200. The Board discussed the cost of the repairs compared to the bids previously rejected. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to rebid the replacement of the fence. With no additional comment, the vote was 3-2 with Mr. Trymbiski and Mr. Busillo dissenting.

4. **Country Greene Stormwater Basin Mowing:** Ms. McCreary reviewed the details of correspondence from Tim Fulmer, the Township Engineer after he visited the sites being discussed for a reduction in mowing. The Board discussed Mr. Fulmer's observations with Mr. Lykon noting these basins will likely need to be converted in the future as part of the Township's MS4 permit. Board consensus was to bid the open space mowing eliminating the scheduled weekly mowing of the basins, but request bids for the basins as an alternate.
5. **Parks & Recreation Committee Vacancy:** Ms. McCreary informed the Board Tim Counihan has resigned from the Committee due to changes in his schedule. The Board discussed the role of the Committee, and asked that it be addressed at an upcoming meeting.

PAYMENT OF BILLS: **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the bills list dated 08/14/18 and the addendum dated 08/14/18 subject to audit. With no additional comment, all voted in favor. The amounts on the bills list are as follows: General Fund - \$48,762.98 and addendum of \$1,650.00, Water Fund - \$15,363.65, Flood Mitigation Grant Fund - \$350.00, State Liquid Fuels Fund - \$2,815.46, Developer's Escrow Fund - \$34,406.58, Construction Escrow Fund - \$16,025.00

APPROVAL OF MINUTES: **Motion** by Mr. Hilferty, seconded by Mr. Carroll to approve the minutes of the 07/24/18 meeting. With no additional comment, all voted in favor.

OLD BUSINESS:

Pine Run Bridge: Ms. McCreary reminded the Board that the Public Works Director needs their direction on a number of items in order to complete the documents for the public bid, which will be advertised in the beginning of September. Board consensus was to retain the existing construction and date plaques, not include a new one, specify the top rail to be steel with a brown/rusted finish and specify bluestone for the capstones on the bridge. Victoria Halliday, 7249 Tohickon Hill Rd., commented on the project and asked how it has changed to a full replacement since the PENNDOT report was previously issued.

Carriage Hill Secondary Access: Mr. Trymbiski noted this matter had been tabled at a prior meeting, and provided a history of how the request for a secondary access came to be considered. Alan Hammer, 4720 Gordon Rd., stated he purchased his home in 1987 and was involved with the Plumstead Civic Association's opposition to Patriots Ridge and Carriage Hill. He reviewed his experience with both developments and stated he does not believe the Board can simply convert the emergency access to a second access for the residents of the development. He cited concerns about pedestrians walking to the park. He noted both developments were planned for access to Route 313 and not onto Ferry or Gordon Road. Steve Heacock, 3674 Ferry Rd., stated Gordon Road is not suitable for additional traffic and it is a public safety issue. He noted the access was designed to protect people who live near the developments. Jason Hampton, 4558 Gordon Rd., asked about the construction entrance on Route 313 being considered as a secondary access into and out of the development. He noted the island in the development could be eliminated to widen the roadway. He stated the pylons along the pedestrian path along Gordon Road get run over regularly by people who are speeding. He expressed concern about additional water runoff, noting the water runoff from the park has caused him problems with his property. Meridy Jarin, 5039 Gayman Rd., read from prepared remarks, speaking about the approval process for Carriage Hill and referencing the pre-submission process. Mr. Lykon spoke about the zoning classification of the road, stating it is not

classified as a cartway. He stated if a second access is permitted the School District will need to evaluate the bus stop location on Gordon Road. He spoke about safety concerns for the residents of Carriage Hill, noting the Township has the responsibility to protect all residents and not solely those on Gordon Road. Mr. Carroll stated he would like to see if retaining the emergency access was a condition of approval, and expressed his concerns about the lack of standard roadway access for emergency vehicles. Mr. Hilferty stated he understands the concerns regarding safety, and how long-term residents also need to have their voices heard. He spoke about increased stormwater runoff in a rural area. He noted he is conflicted about finding a way to resolve this, and how doing the right thing can have unintended consequences. Mr. Busillo questioned how only one point of access was approved for such a large development, noting Rt. 313 is one of the most traveled roads in the Commonwealth. Mr. Trymbiski spoke about reducing vehicle speed near the Hanusey Park entrance and the root of many of the issues remains only having one point of access. He stated he does not believe creating a second access will create cut-thru traffic because of the layout of the development. Alan Hammer responded to the Board's comments, stating there is a greater likelihood of a pedestrian being struck on Gordon Road compared to a motor vehicle accident on Rt. 313. Jason Hampton stated before he purchased his home on Gordon Rd. he lived in Carriage Hill and knew the rear access would not be opened. He asked the Board to pursue the second point of access onto Rt. 313. Steve Heacock spoke about the impact the access onto Gordon Road would have on Ferry Road and Sawmill Road, and improvements to Gordon Road will cause more motorists speeding. Board consensus was for the HOA to look at the possibility of interior road changes to improve traffic flow and a second access onto Rt. 313 and advise the Township of the outcome. Board consensus was to consider access onto Gordon Road if the other two options are not feasible with the HOA also paying for all costs relating to traffic calming measures on Gordon Road in addition to all costs to modify the emergency access.

NEW BUSINESS:

Village Improvement Grant Program: Mr. Trymbiski spoke to the Board about a concept where the Township would offer a modest grant to property owners in some of the historic villages like Danboro and Gardenville to beautify their properties. Mr. Reiss interpreted the Second Class Township Code for an initiative like this. Mr. Lykon stated the Township has money for sidewalks and trees that could be used for grants. Mr. Reiss stated those funds must be used for only those purposes because they were collected as fees in lieu of. Ms. McCreary will put a question to the Bucks County Consortium to see if other communities have developed such a program.

EMS Funding Allocation: Mr. Trymbiski spoke to the Board about the Township's current allocation of its dedicated EMS millage, noting Point Pleasant Plumsteadville EMS (PPPEMS) is the sole recipient and Central Bucks EMS (CBEMS) covers a portion of the Township. He stated he would like the annual allocation to be distributed to both EMS squads based on the coverage area. Mr. Lykon noted according to his calculations, using the map provided in the packet CBEMS covers 16.7% of the Township. Mike Tuttle, Chief of Operations for PPPEMS spoke to the Board about the impact a decrease in the allocation would create. He asked if the Board decided to change the allocation they phase it in. The Board discussed the percentage of calls in neighboring municipalities and the amount of money being contributed by them to PPPEMS, with Mr. Trymbiski and Mr. Carroll offering to speak to the elected officials of those municipalities to obtain dedicated funding to PPPEMS.

PUBLIC COMMENT: None

ADJOURNMENT: **Motion** by Mr. Hilferty, seconded by Mr. Lykon, to adjourn into Executive Session at 12:05 p.m. With no additional comment, all voted in favor.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date Approved