

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

November 14, 2017

Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, November 14, 2017 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

Dan Hilferty

Stacey Mulholland

Frank Froio

Jonathan J. Reiss, Esq.

Carolyn McCreary

Chair

Vice Chair

Assistant Secretary/Treasurer

Township Solicitor

Township Manager

Absent:

Nick Lykon

Brian Trymbiski

Secretary

Treasurer

Chairman Hilferty 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 scheduled for November 16 is cancelled. The Historic Advisory Committee meets on November 20. The Veterans Ad Hoc Committee meets on November 22. The Trail Steering Subcommittee meets on November 27.

PUBLIC COMMENT: Joe Porter, 37 John Dyer Way spoke to the Board about a home next to him (36 John Dyer Way) that is currently being rented to six college students, and that the Township's ordinance does not adequately address the situation they are dealing with. He stated when the property was previously rented it was to a family, who maintained it. He spoke about the number of cars on the street, trash not being put out properly and the lawn not being mowed and leaves picked up. Chuck Grezlack, 22 John Dyer Way stated he agreed with Mr. Porter's points concerning renting to students and the property maintenance issues. Phil Marchesi, 5860 Worthington Road stated that cleaning up language for unrelated use and parking could be timely for other areas.

ENGINEER'S REPORT: None

SOLICITOR'S REPORT: Jonathan Reiss, Esq.

- 1. Chase Minor Subdivision:** Mr. Reiss reminded the Board that they had previously approved an amendment to the conservation easement, relocating the building envelope from the rear of the property to the front so it would be closer to the road. He stated that he was now seeking their formal approval of the amended conservation easement, noting he also had the subdivision plans for their signatures. **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve the first amendment to the deed on conservation easement. With no additional comment, all voted in favor 3-0.
- 2. Zoning Hearing Board Application – 6535 Groveland Road:** Mr. Reiss advised the Board that the Township had received an application seeking five (5) variances having to do with the general location of a proposed new structure to replace the existing one on the property. He reviewed the

details of the variances requested with the Board. Mr. Frio stated he thinks the Township should send the Solicitor to the Zoning Hearing Board because of the number of variances being sought, and the nature of them as it relates to setbacks, and particularly the stream riparian buffer and the riparian buffer. Mr. Hilferty indicated that he agrees and the Township's ordinances need to be protected. Mr. Reiss reviewed the zoning ordinance for nonconforming uses and their demolition because a statement was made that to remove the existing building would eliminate the parcel's nonconforming status. Jonathan Scott, 6540 Groveland Road stated that the trailer on the property was occupied by a family prior to the property being sold, and the current owner has done nothing but made it worse by allowing it to deteriorate to its current state. He stated that the property is littered with items not relating to the dwelling, and noted that no one opposes improvement of the property, but they do not understand why it has to continue to deteriorate while plans move forward for a new structure. Susan Goldberg, 6516 Groveland stated that the current owner is using the property as a dump site, and continues to bring in more loads of soil. She stated that there are two issues and the property maintenance should not be ignored. Hank Goldberg, 6516 Groveland Road stated he has lived at his current address for 7 years and asked the property owner to clean up the site. He stated the Township needs to take some action in response to his resident concern form and the petition signed by the residents with accompanying photographs. Lawrence Brown, 6693 Groveland Road cited the amount of water that travels through the Geddes Run and questioned what the addition of more soil will do and if there is dumping going on that could affect the waterway. Ms. Mulholland inquired if the dumping of soils is a violation of the Township's floodplain ordinance and if the Conservation District should be contacted. **Motion** by Mr. Froio, seconded by Ms. Mulholland to authorize the Township Solicitor to represent the Township at the Zoning Hearing Board. Mr. Reiss stated he will need to engage the Township Engineer in preparation for and attendance at the hearing. With no additional comment, all voted in favor 3-0.

3. **Act 42 – Gambling Expansion:** Mr. Reiss provided details about the recently enacted legislation that would allow for additional mini-casino locations within the Commonwealth. He stated that based on the maps provided it appears the Township would not be permitted to have them, but his firm is advising their municipal clients that if they do not want the min-casinos in their municipality to adopt a resolution prohibiting them and sending the resolution to the PA Gaming Control Board. **Motion** by Ms. Mulholland, seconded by Mr. Froio to authorize the Solicitor to prepare a resolution for consideration at the Board of Supervisors next public meeting. With no additional comment, all voted in favor 3-0.

2018 BUDGET PRESENTATION:

Ms. McCreary provided the Board with a detailed line-by-line budget for all the Township funds, and supplemented that information with a PowerPoint presentation to provide a broader picture of the Township's financial structure and some of the key components that affect the budget, particularly involving the General Fund. She reviewed assumptions built into the budget including maintaining the same level of services, the hiring of an Assistant Manager per prior Board direction, continuing to outsource the mowing of Township open space, developing Gardenville Fields paid in part by a DCNR grant, the bidding of the Old Easton Road bridge over the Pine Run, and continuing to find new programming to make better use of the community building and Hanusey Park. She identified the capital and infrastructure expenditures that had been discussed with the Board at prior meetings, noting that the replacement of the fence at Allohaken Park and the irrigation of baseball field no. 1 At Hansuey Park would be brought before the Board before any action is taken. Public Works projects include the final phase of the reconstruction of Silo Hill Road, the microsurfacing of the roads in Fox Hunt, and in-

house paving projects. Building improvements include replacing the remaining doors and heating the pole building at Public Works, heat for the maintenance building on Gordon Road, and replacing the windows in the public meeting room. She stated that the only capital relating to the parks paid out of the General Fund is a poured play surface and swing set for Hanusey Park. She advised the Board that there is \$75,000 in the General Fund budget relating to Phase II of the Summer Meadow streambank restoration project, noting she did not receive consensus from the majority of the Board to remove it. She stated that there is \$80,000 in the Capital Fund budget relating to the easement acquisition and engineering for trails relating to the TAP grant application that was recently submitted. Ms. McCreary pointed out the budget she is proposing is based on the same millage rate of 13.94 as the prior year unless otherwise changed by the Board. She stated that the proposed expenditures in the 2018 General Fund budget are 2.9% higher than the 2017 budget, and \$208,532 more than the projected revenue and this is with \$192,500 being transferred into the Fund from reserves for capital expenditures, in-house paving, and the proposed tree removal costs of \$10,000. She noted that based on the current YTD revenue she had increased the earned income tax line to \$3.1 million and the transfer taxes to \$500,000. She noted that the earned income tax collector was estimating \$2.8 million for 2018 because they average prior years, but since the Township has experienced new residential development she is more confident in using \$3.1 million. Ms. McCreary also stated that she had adjusted permit revenue based on YTD activity. She stated that all departments continue to work towards providing efficient and cost effective operations. Ms. McCreary stated that the largest single expenditure area in the budget is the Police Department which is budgeted at \$3,031,473 and represents 50% of the proposed expenditures. She stated that 95% of the department's budget is for wages/benefits and insurance requirements like property, Police professional liability and workers' compensation. She reminded the Board that the capital relating to the Police Department is paid out of the Local Services Tax Fund and totals \$120,400 with two new vehicles being proposed to replace older ones in 2018. She outlined the other department's expenditures and increase or decrease over the prior year, noting that the Public Works Department comprises 14% of the budget and Administration (including the buildings) comprises 10% of the budget. She pointed out that the Parks & Recreation portion of the General Fund will account for 7% of the proposed budget. The remaining 19% of the proposed expenditures relate to professional fees, Code Enforcement/Zoning, minor debt service and the annual pension contribution for non-uniform personnel. She provided the Board with a comparison of costs by department for 2008 versus 2018. Ms. McCreary described the trend in real estate tax revenue, pointing out that the Township's assessed valuation had increased by only 1.3% since this time last year. She reviewed the allocation of the current real estate tax millage. She noted that 59% of the real estate taxes collected by the Township are for debt service, the majority relating to past open space referendums approved by the voters, 8% for the two (2) volunteer fire companies, 3% for ambulance service and 1% for future open space acquisitions as the bond proceeds have been depleted. She stated that one mil generates about \$216,733 in revenue. She pointed out that the Township's real estate taxes represent 9% of the total real estate taxes paid by a property owner, with 77% going to the School District and the remaining 14% to the County. Ms. McCreary closed her presentation with identifying various financial goals and operational goals for the coming year. She explained the options to the Board concerning the advertisement of the budget, noting it could be authorized for advertisement as presented, or authorized for advertisement with changes per the Board's discussion this evening. The Board discussed the proposed shortfall with Mr. Hilferty noting that there are really no large expenditures to remove from the budget to offset it. He also referenced the last time the Board had increased the real estate taxes in 2009 for 2010 with Mr. Froio stating this was the same time the Township laid off three full-time

employees and took some money from reserves to balance the budget. Mr. Hilferty stated that at that time the Township was not responsible to maintain Hanusey, Veterans and Owls Nest Parks or Gardenville Fields. He stated that if the Board were to increase the real estate tax rate by 1 mil it would eliminate the proposed shortfall, leaving the reserves available for other future uses. Ms. Mulholland stated she could support this because of what the Township did in the past to control its expenses. She also cited the increased costs to maintain the parks. **Motion** by Mr. Froio, seconded by Ms. Mulholland to authorize the advertisement of the 2018 proposed budget as amended to include a 1 mil tax increase for general purposes. With no additional comment, all voted in favor 3-0.

ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager:

1. **Authorization Voucher – Donner Pass East Subdivision:** Ms. McCreary presented authorization voucher no. 14 dated 11/07/17 in the amount of \$1,720.07 payable to C. Robert Wynn Associates for construction observation and escrow administration. **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve the authorization voucher. With no additional comment, all voted in favor 3-0.
2. **EDU Request – 5584 Point Pleasant Pike:** Ms. McCreary informed the Board that the Township had received a request to connect this property to public sewer from the County Health Department. She stated that Mr. Fulmer had reviewed the request and provided a letter concerning it dated 11/09/17. Mr. Froio asked if this would be taken from the allocation reserved for failing systems. **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve the request for one EDU for 5584 Point Pleasant Pike. With no additional comment, all voted in favor 3-0.
3. **4945 River Road Elevation Project:** Ms. McCreary advised the Board that HVAC contractor has recommended that the unit be replaced, and under the terms of the FEMA grant this cost would be the responsibility of the property owner. However, since the Township is the subgrantee this still requires Board approval. She stated that the contractor is evaluating the current system to see if it can be retrofitted to accommodate the elevated structure, but in order to not delay the work she is seeking approval of the change order at this meeting. **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve Change Order No. 3 for the furnishing and installation of the new furnace if deemed necessary by the subcontractor conditioned on the cost being paid entirely by the property owner. With no additional comment, all voted in favor 3-0.
4. **Request for Public Water Connection:** Ms. McCreary informed the Board that the Township had received a request from the buyer of 5705 Meetinghouse Road to connect to public water once settlement on the property occurs. **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve the request to connect 5705 Meetinghouse Road to public water service. With no additional comment, all voted in favor 3-0.
5. **Metropolitan Developments:** Ms. McCreary advised the Board that she had received a request from the in-house counsel for Metropolitan Development group, seeking a staff meeting to discuss their recent acquisition of a parcel behind the Urich tract and how this will affect the proposed public water costs. She noted that there is mixed feelings on the Board about staff meetings, which is why she is bringing this to them. Board consensus was to approve the staff meeting with Ms. McCreary reporting the details to the Board.

PAYMENT OF BILLS: **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve the bills list dated 11/14/17 and the addendums dated 10/30/17. With no additional comment, all voted in favor 3-0. The amounts on the bills list are as follows: General Fund - \$114,833.14 and \$643.57 (addendum), Water Fund - \$18,854.78, Local Services Tax Fund - \$1,207.60, Capital Reserve Fund - \$89,964.00, Flood

Mitigation Fund - \$17,670.08 (addendum), State Liquid Fuels Fund - \$4,433.96, Developer's Escrow Fund - \$4,810.55, Construction Escrow Fund - \$8,250.00, Zoning Hearing Board Escrow - \$575.00

APPROVAL OF MINUTES: **Motion** by Mr. Froio, seconded by Ms. Mulholland to approve the minutes of the 10/24/17 meeting. With no additional comment, all voted in favor 3-0.

OLD BUSINESS: 2017 Microsurfacing Project

Ms. McCreary reviewed details of the work that was scheduled for 2017, publicly bid and awarded to Midland Asphalt Materials, Inc. She explained that there were issues with the work, including the need for the Township to provide an employee with equipment for the project, which while billed to the contractor, took that employee from the Township's own in-house road projects. She also cited the road materials that had accumulated in the stormwater drains, resulting in the contractor having to come back to saw-cut the grates and have one of their employees climb into the storm drain to retrieve and remove the materials. She stated that the remaining issue involves areas that were not properly resurfaced based on PENNDOT standards enumerated in correspondence sent by Alan Blead to the contractor dated 08/31/17. These standards state that the contractor must continually adjust operations to obtain a quality surface free from drag mark, open areas or suspect quality. She reminded the Board that this was the third year the Township bid this type of work, with the first two years resulting in no issues during or after the work being done. Joe Gambino, Construction Manager and David Brady, Operations Manager with Midland Asphalt were present. Mr. Gambino assured the Board that his company wanted to complete the project and reminded the Board that there is a warranty and a bond on the project. The described the work that will be necessary to correct the identified areas. The Board discussed what would be a fair amount to remit for the work and, also to ensure that the remaining work would be completed to the required specifications. **Motion** by Mr. Froio, seconded by Ms. Mulholland to pay 80% of invoice 33885 calculated to be \$167,313.41, with the remaining 20% being paid at the completion of the work that needs to be completed on approximately 2,410 square yards of surface. Work is to be completed to the satisfaction of the Public Works Director by June 1, 2018. With no additional comment, all voted in favor 3-0.

NEW BUSINESS: None

ADJOURNMENT: **Motion** by Ms. Mulholland, seconded by Mr. Froio, to adjourn the meeting at 10:05 p.m. With no additional comment, all voted in favor 3-0.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date Approved