

**PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS**  
**May 22, 2018**  
**Meeting Minutes**

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, May 22, 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

**Brian Trymbiski**

**Nick Lykon**

**Peter Busillo**

**Dan Hilferty**

**Jonathan Reiss, Esq.**

**Carolyn McCreary**

**Vice Chair**

**Secretary**

**Treasurer**

**Assistant Secretary/Treasurer**

**Township Solicitor**

**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 Veterans Ad Hoc Committee meets on May 23. The Plumsteadville Village Ad Hoc Committee meets on May 24. The Trail Steering Subcommittee meeting scheduled for May 28 is cancelled. The Board of Supervisors Worksession scheduled for May 31 is cancelled.

**PUBLIC COMMENT:** Donald Leroy, 4241 Signature Drive, inquired about Public Works handling of the mowing of the detention basin near his home, asking if it had been eliminated from the Township's mowing plan. Chuck Grezlak, 22 John Dyer Way, spoke to the Board about the home on his street that was recently rented to college students. He asked if the Solicitor could find out how Buckingham Township handles the rental of homes with unrelated tenants in it. He stated that he believes not addressing it will foster another situation like this in other subdivisions. Mark Hasaka, 4464 Summer Meadow Drive, spoke to the Board about the open space mowing behind his home, stating the area was reviewed by the Township Engineer because of the direction of the stormwater flow. He asked that the Township resume the same mowing patterns it previously practiced. Jamie Catalano, 4585 Summer Hill Drive, asked about the availability of what was planned or implemented so it could be shared with the residents. He asked if there were any other reasons for the change besides cost reduction and stormwater management regulations.

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

- 1. Public Hearing – Removal of Worthington Rd. Bridge Weight Restriction:** Mr. Reiss advised the Board that per their prior approval the ordinance was prepared, and the hearing had been properly advertised with the legal notice being posted at the Township building, and the proposed ordinance being made available for public inspection at The Intelligencer and the Township building. Mr. Trymbiski opened and closed the public hearing without public comment. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to adopt Ordinance 2018-01. With no additional comment, all voted in favor 4-0.
- 2. Brake Retarder Ordinance:** Mr. Reiss reviewed the details of the proposed ordinance, which would make it unlawful to use brake retarders on Point Pleasant Pike and Ferry Road between Swamp Road and Durham Road, and establish a fine. **Motion** by Mr. Lykon, seconded by Mr. Hilferty to authorize

the advertisement of the proposed ordinance for public hearing. With no additional comment, all voted in favor 4-0.

3. **Fireworks Ordinance:** Mr. Reiss advised the Board he has updated the ordinance to come into compliance with Act 43. He reviewed the changes to the ordinance with the Board. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to authorize the advertisement of the proposed ordinance amendment. With no additional comment, all voted in favor 4-0.
4. **Park Rules Ordinance Amendment:** Mr. Reiss advised the Board that while he was preparing the amendment to the ordinance governing the park rules he added language prohibiting the takeoff or landing of drones in Township parks. Board consensus was to consider allowing it in an effort to reduce this activity in residential neighborhoods. Ms. McCreary asked if she could reach out to the Township's insurance carrier before the amendment is considered to get the opinion of their risk management specialist. Board consensus was to table the proposed amendment until the information is received.
5. **Well Ordinance Amendment:** Mr. Reiss advised the Board that it recently came to his attention that the escrow requirement for the well depletion agreement needs to be more specifically detailed in the ordinance. Mr. Lykon asked if the ordinance had been amended to reflect another option for grouting a well, and spoke about what he views as the redundant inspection the Township requires when the County is now performing that same type of inspection. Board consensus was for Mr. Reiss to speak to the Township's Hydrogeologist about the inspection process and report the information at a future meeting.

**DEPARTMENT AND FIRE COMPANY REPORTS:** On File

**COMMITTEE MINUTES:** On File

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

1. **Doylestown II Land Development Plan:** Ms. McCreary informed the Board the Township had received an extension until 09/30/2018 to review the proposed land development plan.
2. **Authorization Voucher – Donner Pass East Subdivision:** Ms. McCreary presented authorization voucher no. 18, dated 05/04/18 in the amount of \$279.55 payable to C. Robert Wynn Associates for construction observation and escrow administration. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the voucher. With no additional comment, all voted in favor 4-0.
3. **Watershed Restoration and Protection Grant Application:** Ms. McCreary presented Resolution 2018-20, which if adopted would authorize the Township to submit a grant application in the amount of \$75,000.00 to this program for Phase II of the Summer Meadow Streambank Restoration project. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to adopt Resolution 2018-20. With no additional comment, all voted in favor 4-0.
4. **Comcast Franchise Renewal:** Ms. McCreary advised the Board that 12 municipalities have indicated they will participate in the negotiations with the cost of the legal representation by the Cohen Lawn Group being apportioned by population. Plumstead Township's share is \$8,245.56 or 13.44% of the \$61,344.00 total. She stated that if any additional municipalities discover their contracts will expire in the same period then the cost to each participant would decrease. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to approve the Township's participation at a cost of \$8,245.56. With no additional comment, all voted in favor 4-0.

**5. Community Building Rentals:** Ms. McCreary sought and received consensus to increase the security deposit required to rent the community building at Hanusey Park from \$100 to \$200 for residents and nonresidents. She stated she will prepare the resolution and place it on the June 12 agenda for Board adoption.

**PAYMENT OF BILLS:** **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the bills list dated 05/22/18 subject to audit. With no additional comment, all voted in favor 4-0. The amounts reported on the bills list are as follows: General Fund - \$143,139.36, Water Fund - \$30,451.22, Emergency Services Fund - \$119,862.57, Capital Reserve Fund - \$4,104.65, Open Space Fund - \$1,503.50, Flood Mitigation Grant Fund - \$15.50, State Liquid Fuels - \$27,134.90, Developers' Escrow Fund - \$12,656.20, Construction Escrow Fund - \$2,850.00

**APPROVAL OF MINUTES:** **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the minutes of the 05/08/18 meeting. With no additional comment, all voted in favor 4-0. **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the minutes of the 05/14/18 Special Meeting. With no additional comment, all voted in favor 4-0.

**OLD BUSINESS:** **Simkins Application to the Agricultural Security District**

McCreary advised the Board that based on their discussion at the May 8 public meeting she had contacted Rich Harvey, Director of the County's Agricultural Program to determine if an easement for a trail along Silo Hill Road was permitted should the Simkins property be preserved under the County's program, and sharing the Township's trail plan for that area. She stated Mr. Harvey replied that that portion of the property could be left out of the conservation easement, assuming it does not involve too much land and Mr. Simkins is amenable to the plan. Ms. McCreary noted that the Detweiler Farm on Silo Hill Road now owned by Mr. Simkins could not have a trail on it as proposed because it is already preserved. She sought and received Board consensus to approach Mr. Simkins about the proposed trail on his property.

**NEW BUSINESS:** **Appointment to Fill Vacancy on Board of Supervisors**

**Motion** by Mr. Lykon, seconded by Mr. Busillo to appoint Darren Carroll to fill the vacancy on the Board of Supervisors created by Ms. Mulholland's resignation. Mr. Hilferty stated that while all three candidates interviewed had varied strengths they would bring to the Board, he believed the Board should consider appointing Wayne Stork because as a former Supervisor he has experience and the respect of prior Supervisors, the Township's professionals and was elected by the residents. He noted that Mr. Stork indicated he would serve out the term, but not seek reelection. Mr. Busillo explained his support for Mr. Carroll, noting that his background in emergency services is something that could be beneficial to the Board. Mr. Trymbiski stated the three residents who came forward, submitted statements of interest and were interviewed by the Board at the May 14 special meeting, followed the process for consideration. With no additional comment, the vote was 3-1 with Mr. Hilferty dissenting.

**PUBLIC COMMENT:** None

**ADJOURNMENT:** Ms. McCreary stated that there is a need for an Executive Session to discuss a land preservation matter, which will not require Board action. **Motion** by Mr. Lykon, seconded by Mr. Hilferty to adjourn into Executive Session at 8:25 p.m. With no additional comment, all voted in favor 4-0.

Respectfully submitted,

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Carolyn McCreary, Township Manager

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Date Approved