

**PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS**

**July 24, 2018**

**Meeting Minutes**

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, July 24, 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

**Brian Trymbiski**

**Peter Busillo**

**Nick Lykon**

**Dan Hilferty**

**Darren Carroll**

**Jonathan Reiss, Esq.**

**Carolyn McCreary**

**Chair**

**Vice Chair & Treasurer**

**Secretary**

**Assistant Secretary/Treasurer**

**Member**

**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 July 25. The Board of Supervisors Worksession scheduled for July 26 is cancelled. The EAC meets on August 8. The Red Cross will hold a blood drive this Friday from 2:00 to 7:00 p.m. at the Township building. Plumstead Township is partnering again with the United Way in their Stuff the Bus campaign. Donations can be dropped off in the lobby of the Township building. Mr. Trymbiski announced the Board met in Executive Session earlier in the evening to discuss two matters involving litigation.

**PUBLIC COMMENT:** Hugo Budinich, 6450 Stump Rd., spoke to the Board about the frequency of power losses he is experiencing this year and stated he received a letter from PECO acknowledging them. He stated this should not be happening in 2018. Sean Holloway, 6457 Stump Rd., spoke to the Board about the loss of power and its increasing frequency. She stated some residents have contacted Rep. Quinn, and asked the Township to get involved. Linda Dyke, 3923 Ferry Rd., asked the Board if they know when the paving of Ferry Road will be completed because Blooming Glen Contractors has not been back to the area.

Denise Bowman, Esq. spoke to the Board regarding the Boys Scouts of America's proposed well depletion agreement and answered a question concerning the exclusion of indemnification language in the agreement.

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

- 1. Public Hearing – Park Rules Ordinance Amendment:** Mr. Reiss noted the Board had given their prior approval for the ordinance amendment to be prepared and advertised. He stated 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. The amendment would restrict the taking off, landing, and operating a drone in Hanusey Park, and prohibit the use of display fireworks in any park unless it is done by the Township or at a Township sponsored event. Mr. Trymbiski opened the public hearing and Carolyn Prieto, 4725 Gordon Rd., inquired about the prohibition of drones in the park, stating she has had them land on

her property, which is next door to the park. Mr. Trymbiski closed the hearing. **Motion** by Mr. Hilferty, seconded by Mr. Carroll to adopt Ordinance 2018-05. With no additional comment, all voted in favor.

2. **Tague Lumber Land Development:** Mr. Reiss advised the Board the applicant would like the Board to consider waiving the financial security should the parking spaces not be built. He noted the applicant is interested in deferring the installation of the 42 parking spaces because they may not be necessary, but if the financial security is going to be required the applicant would install the spaces now. **Motion** by Mr. Hilferty, seconded by Mr. Carroll to amend the land development approval, waiving the financial security for the reservation of the 42 parking spaces but still require a Reservation Agreement. With no additional comment, the vote was 4-1 with Mr. Trymbiski dissenting.
3. **4853 Tollgate Road Enforcement Action:** Mr. Reiss informed the Board two letters were sent to the property owner, notifying him that the work he is performing in the right of way must have permits and a review by the Township. He stated to date neither his office nor the Township staff had been contacted to rectify the situation. Mr. Reiss stated he is seeking Board authorization to file a noncriminal citation in the local magistrate district court. The Board discussed options and the cost of Mr. Reiss filing the action with the court. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to authorize the Solicitor to proceed as described. With no additional comment, all voted in favor.

Mr. Reiss stated he had one item for Executive Session involving litigation.

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

1. **Public Works:** Alan Bleam, Public Works Director and Duane Freed, Public Works Foreman reviewed areas of the open space mowing plan that could be reduced or eliminated in order to reduce the mowing contract for 2019. Mr. Bleam stated he would like to put this out for bid now with the bid opening coinciding with the bid opening for the Old Easton Road bridge replacement project. The Supervisors evaluated the various areas, pointing to some that could possibly be reforested in the future or mowed annually. They also identified three basins in the County Green development that required further evaluation by the Township Engineer to ensure effective stormwater management would not be compromised. The changes to the open space mowing plan involve areas in Country Green, Durham Ridge, North Branch, Summer Hill, Summer Meadow and Timberly Farm. Mr. Lykon suggested adding mowing at Landis Park to the proposal. He noted that mowing is currently being done by Public Works. Mr. Bleam stated he and Mr. Freed would revise the mowing plan per the Board's direction and put it out for bid.

**COMMITTEE MINUTES:** On File

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

1. **2019 Proposed Budget - Timeline:** Ms. McCreary reviewed the details of the budget process, noting key dates in reviewing various components. Mr. Trymbiski stated this is the timeframe the Board will follow, and recommended everyone make note of the November 13 budget presentation.
2. **Request for Proposal-Audit Services:** Ms. McCreary advised the Board the current agreement for services with Dunlap and Associates concluded with the 2017 audit. She sought and received Board consensus to put together and distribute a request for proposal for the years 2018 through 2020.

**3. Parks & Recreation Committee:** Ms. McCreary informed the Board Donna DeStefano had notified the Committee of her decision to resign due to personal commitments. She stated the vacancy will be posted on the Township and Parks & Recreation websites and Facebook pages.

**PAYMENT OF BILLS:** **Motion** by Mr. Hilferty, seconded by Mr. Carroll to approve the bills list dated 07/24/18 and an addendum dated 07/16/18 subject to audit. With no additional comment, all voted in favor. The amounts reported on the bills list are as follows: General Fund - \$144,262.24 and addendum of \$3,538.60, Water Fund - \$72,310.94, Local Services Tax Fund - \$50,557.55, Capital Reserve Fund - \$583.13, Open Space Fund - \$62.00, Flood Mitigation Grant Fund - \$418.50, State Liquid Fuels - \$8,415.24, Developers' Escrow Fund - \$68,113.43, Construction Escrow Fund - \$2,850.00, Zoning Hearing Board Escrow Fund - \$1,400.57

**APPROVAL OF MINUTES:** **Motion** by Mr. Hilferty, seconded by Mr. Carroll to approve the minutes of the 07/10/18 meeting. With no additional comment, all voted in favor 4-0 with Mr. Trymbiski abstaining as he was not present at the meeting.

**OLD BUSINESS:** Carriage Hill Secondary Access

Ms. McCreary stated per the Board's discussion at the July 10 public meeting, this matter was tabled to provide all the Supervisors the opportunity to discuss the request by the Homeowners' Association to allow them to convert the emergency access onto Gordon Road as an additional road for entering and leaving the development. She distributed a letter from Alan Hammer, a resident on Gordon Road who is opposed to the conversion of the emergency access into a secondary access. Mary Ann Patterson, 3883 Ferry Road, stated she lives at the corner of Gordon and Ferry Roads, and is concerned about the school bus stop and the safety of the students who wait at the back access area if it becomes a second point of access to the development. Linda Dyke, 3923 Ferry Road, spoke about the approval process for Carriage Hill and stated at the time of the approval the Board of Supervisors represented that the back would only be used for emergencies. Jason Hampton, 4558 Gordon Road, stated he lived in Carriage Hill prior to purchasing his current home and witnessed the reckless behavior of drivers around the school buses. He stated opening the back entrance will remove the safety of the crosswalk into Hanusey Park, and he does not want to see a loss of life for the convenience of a few residents in Carriage Hill. He asked if Gordon Road would have to be widened who would pay for it. Joseph Reinheimer, 3634 Ferry Road, stated he agrees with the comments of the other residents and noted no one from Carriage Hill in favor of the opening was present for this discussion. Carolyn Prieto, 4725 Gordon Road, stated she agrees with the prior comments, and believes this was not planned for and the Board needs to exercise care for the sake of the children's safety. She reminded the Board things were supposed to be done one way and now this Board is reversing course. Mr. Carroll stated he would like more time to understand the implications of opening the emergency access. **Motion** by Mr. Hilferty, seconded by Mr. Busillo to table the matter to the August 14 public meeting. With no additional comment, the vote was 4-1 with Mr. Trymbiski dissenting.

**NEW BUSINESS:** Fund Balances and Reserves Policy

Ms. McCreary reminded the Board at their Finance Worksession held in April she asked if there were any suggested changes to the budget process the Board would like to see implemented. Mr. Lykon responded he would like the Board to consider adopting a policy relating to the use of and balance of the Township's reserves, so this Board and future Board could use this when making decisions about operating and capital expenditures. She presented a report showing the reserve balances by fund as of 12/31/17, noting that within the General Fund there are reserves dedicated to specific items such as walking paths/sidewalks,

stormwater management and reforestation. She stated this restriction was because the money was collected as fees in lieu of. She stated the recommended minimums were a starting point for the discussion and explained the rationale for each. Ms. McCreary reviewed details of a draft reserves policy, which if adopted would provide a framework for a Board to draw down below the desired minimum, and establish a timeframe for the replenishment of that reserve. She reminded the Board that this was also developed to provide a starting point for the discussion. The Board reviewed the figures and recommendations, with Mr. Carroll stating he would like to know the source of the money in the reserves and the history of the balances. The information will be gathered and provided to the Board at a future meeting.

**PUBLIC COMMENT:** Joseph Reinheimer, 3634 Ferry Road, thanked the Board and staff for the job they do. He asked if there was an update on the Doylestown II land use appeal.

**ADJOURNMENT:** **Motion** by Mr. Lykon, seconded by Mr. Carroll to adjourn into Executive Session at 10:25 p.m. With no additional comment, all voted in favor.

Respectfully submitted,

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Carolyn McCreary, Township Manager

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Date Approved