

**PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS**

**February 27, 2018**

**Meeting Minutes**

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, February 27, 2018 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

**Brian Trymbiski**

**Vice Chair**

**Nick Lykon**

**Secretary**

**Peter Busillo**

**Treasurer**

**Dan Hilferty**

**Assistant Secretary/Treasurer**

**Jonathan Reiss, Esq.**

**Township Solicitor**

**Carolyn McCreary**

**Township Manager**

Absent:

**Stacey Mulholland**

**Chair**

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 February 28. The Parks & Recreation Advisory Committee meets on March 13.

**PRESENTATION:** Shop With A Cop Recognition

Corporal Mike Johnson spoke about the Police Department's first event held on December 11, and specifically thanked the businesses who contributed at various levels. He also thanked the Township, the Police Department and the Officers from neighboring departments who volunteered their time to ensure that the event was successful. He stated that 75 children participated, and he would like to have 100 this December. Corporal Johnson presented a plaque to Michael Scalzi, President of Innovative Environmental Technologies, and thanked him for his generous donation.

Corporal Johnson informed everyone that the next *Coffee With a Cop* is being held on April 6 from 8:00 a.m. to 10:00 a.m. at Altomonte's.

**PUBLIC COMMENT:** Scott Dilemani, 3880 Cephas Child Road asked about the Township Police Department's preparedness to respond to a critical incident like the shooting at the high school in Florida. Tom Alvaré, 5733 State Park Rd. addressed the Board about concerns he has with the late notification he received about the Boy Scouts' intention to hydrofracture a well, stating he picked it up three days before the work was to be done. He stated that previously when they installed a comfort station one homeowner lost his well. He questioned the need for a class 3 well providing 10,000 gallons of water solely as a backup. Mr. Alvaré suggested the Township appoint another hydrogeologist for this evaluation because Gilmore & Associates had previously worked for the Boy Scouts. Andy Thomas, 7262 Shad Lane, noted he was a member of the EAC and reviewed the scope of the work, which he does not believe is sufficient because the neighbors' wells are not being evaluated. Rich Garcia, 7247 Shad Lane, stated he is concerned what will happen to his well if there is such a large drawn down of water, and he wants the Board to focus on what's the potential issue for all adjacent property owners. He stated he did not receive notification of the work. Megan

Clawson, 7247 Shad Lane, stated her well is probably the closest to the Boy Scout camp and she is concerned that a well on Skinny Lane dried up after previous hydrofracturing at the camp. William Slotter, 7285 Shad Lane, stated he did not receive a notice and wanted to be assured that he will get one in the future. Jean Oliver, 7430 Skinny Lane, stated she believes the camp plans to expand, and that other improvements made on the property did not receive permits. She added that she is concerned their onsite septic system will not be able to handle more water. Holly Madison, 7326 Shad Lane, stated she received notification, and is concerned about living in a resource protected area. She asked if insurance will cover problems with wells, and if the engineer is bonded. She stated that she contacted PADEP, and the person she spoke with said it is a conflict to only monitor wells on the camp property.

Michael Phillips, 5303 Old Easton Road, asked about the timeframe for the proposed subdivision at 5280 Old Easton Road to come before the Board. He stated he is concerned about stormwater runoff and the impact of new construction to existing stormwater issues in that area.

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

- 1. Zoning Hearing Board Application – 6535 Groveland Road:** Andy Lykon, the property owner presented a revised plan for the construction of a single-family home and spoke to the Board about what the zoning requirements were when he purchased the property with the intention of building his home there compared to the subsequent changes made to the zoning ordinance. He stated the proposed home has a smaller footprint into the riparian buffer than the current structure and is on the least intrusive spot on that side of the Geddes Run. He stated the cost to construct a bridge to build on the back of the lot would be about \$400,000. He stated his proposed construction will improve stormwater management, and add value to the neighboring properties and the community. Mr. Lykon announced that he needed to recuse himself from any discussion because the property owner is his brother. Consensus of the other three Supervisors was that the Zoning Hearing Board should finish their deliberations and conclude the process
- 2. Zoning Hearing Board Application – 5479 Jillian Way:** Mr. Reiss reviewed details of the application seeking a variance to increase the maximum allowable impervious surface to 30% in order to install an in-ground swimming pool. Board consensus was for the Zoning Hearing Board to make their decision based on the evidence and testimony provided with no input from the Township.

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

- 1. Police Department:** Chief Hasenauer presented the Board with a draft ordinance that would prohibit the use of brake retarders on Ferry Road between Route 313 and Route 413, noting that this was approved by PennDOT as a result of a resident’s complaint. The Board discussed the ordinance, with Mr. Reiss noting that a review of the Township’s existing ordinance showed that fines relating to motor vehicle code violations should be reviewed as they are lower than what the state permits in a number of areas. Joe Reinheimer, 3634 Ferry Road, stated that brake retarders are used near his property and it’s uphill. Board consensus was for the Chief to evaluate the fines and address this again with the Board at their March 27 public meeting.
- 2. Public Works:** Mr. Lykon reviewed details of the current open space mowing plan, which was contracted out via a public bid in 2017. He stated he believes the Township should consider reducing the areas mowed, and in some case eliminating them entirely. Ms. McCreary advised that if the Board dramatically reduced the areas being mowed the contractor could choose not to renew the contract for 2018. The Board asked Duane Freed, Public Works Foreman for his

input on reducing the mowing. **Motion** by Mr. Lykon, seconded by Mr. Busillo to give the Public Works Department the authorization to reduce the mowing to net a 10% reduction in the cost based on the 2017 bid. With no additional comment, all voted in favor 4-0.

**COMMITTEE MINUTES:** On File

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

1. **Plumsteadville Volunteer Fire Company:** Ms. McCreary informed the Board that Charlie Rumble, President of the fire company, requested a letter of support from the Township for a loan PVFC is applying for from the USDA mortgage program for the construction of Substation 20 located on Ferry Road near the Route 611 bypass. She stated that she had provided them with additional information relating to call volume in 2017 and long-term financial planning. Mr. Lykon stated that he would like the Board to determine PVFC's sustainability before agreeing to support a loan application. Mr. Hilferty stated that he would like to see the most recent updated plan for the new building. Mr. Busillo indicated he would like to know more about the building project and PVFC's sustainability. He pointed to some miscalculations on the financial report provided.
2. **Grant Opportunities:** Ms. McCreary reviewed details of current grant opportunities available to the Township and sought Board consensus about which ones the Board supported based on the project involved and the required match. Mr. Busillo expressed reservations about the multi-modal grant program that could pay for infrastructure improvements in the Plumsteadville Village. Mr. Hilferty asked for a separate spreadsheet that would show the Township's current grants and required financial commitments. Mr. Lykon stated he supports the multi-modal grant application and the DCED grant application that would pay for Phase II of the Summer Meadow streambank restoration project. Ms. McCreary informed the Board that she recently was notified that the PA Small Water & Sewer grant program has reopened, and she sought consensus to resubmit the application for the well rehabilitation project in Summer Hill. Board consensus was to make applications to the PA Small Water & Sewer Grant program and the DCED program. **Motion** by Mr. Trymbiski, seconded by Mr. Busillo to adopt Resolution 2018-10 in support of the PA Small Water & Sewer grant. With no additional comment, all voted in favor 4-0.
3. **Village Planning:** Ms. McCreary informed the Board that based on the discussion at their last meeting she had contacted the Bucks County Planning Commission, and Kent Baird the Township's Planning Consultant for quotes to work with the Township's Planning Commission on developing an overlay district for the Plumsteadville Village or establishing a new zoning district.
4. **Village Economic Development:** Ms. McCreary informed the Board that she had contacted Stephen Barth about coming to a future meeting to discuss his firm's work with other municipalities. She stated that he is tentatively scheduled to come to the March 27 meeting, and she is investigating what other firms might provide this type of assistance.

**PAYMENT OF BILLS:** **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the bills list dated 02/27/18 and the addendum dated 02/27/18 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 - \$99,722.26 and addendum of \$489.00, Water Fund - \$27,740.60 and addendum of \$100.00, Capital Reserve Fund - \$74,890.71, Open Space Fund - \$124.00, State Liquid Fuels - \$9,674.02, Developers' Escrow Fund - \$9,413.64, Zoning Hearing Board Escrow Fund - \$381.51

**APPROVAL OF MINUTES:** **Motion** by Mr. Hilferty, seconded by Mr. Lykon to approve the minutes of the 02/13/18 meeting. With no additional comment, the vote was 3-0 with Mr. Busillo abstaining, as he was not present at the meeting.

**OLD BUSINESS:**

**Trail Steering Committee:** Ms. McCreary presented Resolution 2018-08, noting that per Mr. Lykon's suggestion she had modified the member requirements and the powers and duties since the trail plan has now been adopted. **Motion** by Mr. Lykon, seconded by Mr. Busillo to adopt Resolution 2018-08. With no additional comment, all voted in favor 4-0.

**Plumsteadville Village (EDUs):** Ms. McCreary presented Resolution 2018-09, which if adopted would reserve 50 EDUs for those properties in the VC zoning district within Plumsteadville Village . The Board discussed changing the resolution to include all properties that are in the VC zoning district, with Mr. Reiss adding that if the Board chooses to do this the properties must also be in the Act 537 public sanitary sewer service district. Ms. McCreary stated she would revise the resolution and put it on the next public meeting agenda.

**Tenant & Property Maintenance Ordinances:** Ms. McCreary presented ordinances from a number of municipalities in the area that addressed tenant registration, residential inspections and property maintenance codes. She noted that some municipalities have more extensive inspection checklists, but they also involve inspections for issuing certificates of occupancy for resales, not just changes in tenants. Mr. Busillo stated that he thought Telford provided a good model as it relates to property maintenance. Mr. Hilferty stated that the Board needs to set parameters that they want staff to consider, and expressed concerns about enforceability of those standards. Ms. McCreary reminded the Board that the Township adopted the 2003 Property Maintenance Code, and enforces it when issues are brought to the staff's attention. Mr. Lykon asked about the tenant registration process. Chuck Grezlak, 22 John Dyer Way stated that he believes the house on John Dyer Way that is currently being rented to six college students should not have been allowed to be converted. Mr. Reiss reviewed definitions within the Township's zoning ordinance, advising the Board that renting a single family home differs from converting a home into a boarding house. Mr. Trymbiski asked Mr. Reiss to issue a legal opinion in a memo to the Board concerning whether the rental of a single-family home on John Dyer Way by the six college students is a permitted use or is in fact an illegal conversion.

**NEW BUSINESS:**

**Carriage Hill:** Mr. Busillo informed the Board that he and Mr. Trymbiski were present for an HOA board meeting where the possibility of using the emergency access to the development as a second means of residents' access was brought up. He sought and received Board consensus for the HOA to investigate this further. Joe Reinheimer, 3634 Ferry Rd., told the Board he opposes the idea to bring more traffic onto Gordon Road, noting that when the development was being discussed, residents were assured that access would be solely onto Route 313.

Mr. Trymbiski sought Board consensus for the Solicitor to send a letter to the State Ethics Board for an opinion since he and Mr. Busillo are residents of Carriage Hill and pay HOA dues. Mr. Reiss explained what information he needs to send a letter, and received Board consensus to do so.

Mr. Busillo sought Board consensus for the EAC to work on revising the well ordinance, noting that when they reviewed it they found some typographical errors.

There was a need for an Executive Session to discuss a matter concerning litigation, with no formal action of the Board as a result of it.

**PUBLIC COMMENT:** None

**ADJOURNMENT:** Motion by Mr. Trymbiski, seconded by Hilferty to adjourn into Executive Session at 11:00 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