

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS
November 18, 2008
Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, November 18, 2008 at 7:35 p.m. at the Point Pleasant Fire Company, 6500 Point Pleasant Pike, Point Pleasant, PA.

Present:

Frank Froio

Stacey Mulholland

Housley Carr

Vince Formica

Thomas Alvaré

John B. Rice, Esq.

Carolyn McCreary

Chair

Vice Chair

Secretary

Treasurer

Member

Township Solicitor

Township Manager

Chairman Frank Froio called the meeting to order at 7:30 p.m. with a moment of silence followed by the Pledge of Allegiance.

CALENDAR AND ANNOUNCEMENTS:

Planning Commission meets November 20 at 7:30 p.m. at this location. The Open Space Advisory Committee meets November 26, and the Parks and Recreation Advisory Committee meets on November 25. Both are in the conference room in the Township building.

PUBLIC COMMENT:

Jean Rapacki, 5543 Geddes Way, spoke to the Board about the lights at the Herbst Field Sports Complex being on beyond normal hours of operation. She provided pictures of the site to the Board. Mr. Rice summarized the agreement between the Township and CBAA, and the process involving the zoning violation and recent appeal filed with the Zoning Hearing Board.

Elizabeth Winter, 5561 Geddes Way, asked the Board if CBAA had received their formal approval for permanent lights that she believes were installed over the summer.

Jeannette Connaughton, 5569 Geddes Way, asked about buffering on the property and whether or not activity was permitted directly in front of it.

Christine Harte, 5573 Geddes Way, spoke about activities at the site involving children and adults where no portable bathroom facilities were provided. She indicated the only time they were provided was during tournaments.

Kevin Malobisky, 5671 Geddes Way, stated that children were coming from the pond area and gaining access to the fields by cutting through neighbors' properties.

The Board thanked the residents for coming forward and advised them to keep current logs of their complaints. Mr. Rice advised them that they could seek standing in CBAA's appeal to the Zoning Hearing Board. The Board also advised the residents to contact Ms. McCreary or complete a Resident Concern Form found on the Township's website.

SOLICITOR'S REPORT: John B. Rice, Esq.

- 1. M&N Investments LP – 4095 Ferry Road:** Robert Gundlach, Esq. presented information to the Board on behalf of the applicant. He provided a history of the property, updating the Board on the clean up efforts. The applicant is proposing to remove existing equipment and fence the site to house 50 mini buses owned by First Service. They indicated they are seeking Board input before submitting an application to the Zoning Hearing Board. The applicant described it as a low-end use when questioned by the Board. The Board asked numerous questions involving parking requirements, ingress and egress, landscaping requirements and lighting. Chief Hasenauer expressed his desire to only allow traffic in and out of the property onto Ferry Road because of the sight distance on Route 611. The general consensus of the Board was favorable and Mr. Gundlach will return with a plan addressing the Board's concerns before any ZHB appeal is filed

2. **Harrar – Agreement of Sale:** Mr. Rice described the property as 50 acres on Groveland Road involving two parcels with a cost of \$6,250 per acre for the conservation easement. **Motion** by Carr, seconded by Ms. Mulholland to approve the agreement of sale.
3. **Hunter-OnLot Sewage Maintenance Agreement:** Mr. Rice stated the property in question is located at 5987 Potters Lane. He indicated the holding tank was being abandoned since the property was now connected to the BCWSA system. He advised the Board that the Township is currently holding \$14,870, thus indicating the tank was removed or the required escrow would not have been this high. **Motion** by Mr. Alvaré, seconded by Mr. Formica to approve the termination of the sewage maintenance agreement.
4. **Rite Aid – Zoning Hearing Board Application:** Mr. Rice advised the Board that he had received a copy of the application to the Zoning Hearing Board. **Motion** by Mr. Formica, seconded by Mr. Carr to authorize the Solicitor to appear on behalf of the applicant and oppose the application. With no additional comment, all voted in favor 5-0.

COMMISSION/DEPARTMENT REPORTS

1. **Police Department:** Chief Hasenauer reviewed the Police report, which is on file. He reported that 610 calls/incidents were received for the month of October. The Chief answered questions regarding the timeline for hiring the two replacement officers and his progress in the testing requirements.
2. **Public Works:** Mr. Blead's report is on file. Mr. Blead asked for Board consensus to commence the engineering for the proposed changeover to liquid chlorination from gas chlorination. He stated that Ebert had come in with the lowest bid for the engineering work and the application to DEP. **Motion** by Mr. Formica, seconded by Ms. Mulholland to support the conversion to liquid chlorine. With no additional comment, the vote was 5-0. Mr. Carr asked about the MtBE testing noted in the Department report. Board consensus was to continue annual testing with the expense being borne by the Township Water Fund. Noting Mr. Blead's report reference, Mr. Formica stated he would like the Township to stay on top of the continuing drainage problems on Stump Road. Mr. Blead stated he would make an application to PECO for a street light at Old Easton Road and Point Pleasant Pike. Mr. Carr asked Mr. Blead about the possibility of a three-way stop sign at the intersection. Mr. Alvaré sought Board input on the mowing of open space at North Branch, as they had all been provided with copies of the original development plan. Board consensus was to discuss this at a future meeting when residents of the subdivision could be present along with Mr. Blead.
3. **Land Use & Code Enforcement:** Mr. Fineberg's report is on file. The Board discussed the recommendations from Environmental Planning Consultants relating to the Durham Ridge retrofit. Board consensus was to determine the cost before pursuing the matter with either the firms involved in the project. EAC involvement may also be pursued. Mr. Fineberg also sought Board action on a resolution supporting the grant application to the Bucks County Natural Areas Program. **Motion** by Ms. Mulholland, seconded by Mr. Formica to adopt **Resolution 2008-26**. With no additional comment all voted in favor 5-0. Mr. Fineberg indicated he had several land preservation items for Board discussion in Executive Session.
4. **Finance:** The Budget to Actual Status Report of Township Funds for the period ending 10/31/08 was presented to the Board.
5. **EAC:** A report from the November 13 meeting was included in the Board packets. There was no quorum so there are no minutes.

ADMINISTRATIVE REPORT: Carolyn McCreary, Township Manager

1. **Plan Extension – Albus Minor Subdivision:** Correspondence was received from the applicant granting a 60-day extension of review time for the plan.
2. **Township Borrowing – Roof Replacement:** Ms. McCreary updated the Board on interest rates and term. She indicated there is no prepayment penalty, and the rate will adjust after five years regardless of the term. Board consensus was to move ahead with the financing.
3. **Police Pension Plan – Update to Investment Policy:** Ms. McCreary stated that the Police Pension Advisory Committee had requested some changes to the initial investment policy established for the plan. Mr. Alvaré explained more of the particulars and the reason for some of the changes, including ensuring that Smith Barney signed on as a cofiduciary. **Motion** by Mr. Alvaré, seconded by Mr. Carr to adopt the

revised Investment Policy for the Police Pension Plan dated July 2008. With no additional comment, all voted in favor 5-0.

4. **American Tower Corp. – Proposed Site Expansion:** Ms. McCreary sought Board consensus for the Historic Advisory Committee to provide feedback on the proposal. The Board expressed concern that this was circumventing the land development process. Ms. McCreary stated she would contact the Solicitor to see if in fact this was part of the overall process, or an attempt to avoid another conditional use being granted.
5. **Ferguson Tract Subdivision – Authorization of Voucher Release: Motion** by Mr. Formica, seconded by Ms. Mulholland to approve the escrow release in the amount of \$36,630.00 per the recommendation of C. Robert Wynn & Associates dated 11/12/08. With no additional comment, all voted in favor 5-0. **Motion** by Mr. Formica, seconded by Ms. Mulholland to approve the escrow release in the amount of \$735.29 per the recommendation of C. Robert Wynn & Associates dated 11/12/08. With no additional comment, all voted in favor 5-0.
6. **Earth Data Invoice:** It was the consensus of the Board for Ms. McCreary to void the previously written check in the amount of \$6,041.04 and reissue one in the amount of \$541.55 bringing the amount paid to equal the quoted project cost. The Board also asked Ms. McCreary to determine what would happen to the software the model is built from should the Earth Data be sold or the principal retires.

PAYMENT OF BILLS:

Motion made by Ms. Mulholland, seconded by Mr. Alvaré, to approve payment of the November 18, 2008 bills list subject to audit. Mr. Alvaré questioned the payments to the fire and ambulance companies from the Emergency Services Fund, and Ms. McCreary explained that this was apportioned based on the dedicated tax rate of 1.1 mills for the fire companies to be divided evenly and .4 mills for the ambulance company. With no additional comment, all voted in favor 5-0.

MINUTES: **Motion** made by Mr. Carr, seconded by Mr. Alvaré, to approve the minutes of November 5, 2008. With no additional comment, the minutes were approved 5-0.

OLD BUSINESS: None

NEW BUSINESS:

Supervisor's Issues

- **Ms. Mulholland** asked for Board input on the proposal by Dave Horner to proceed with engineering work at the intersection of Route 611 and Curly Hill Road.
- **Mr. Froio** asked if there was Board consensus to insist on the installation of an all-volunteer board for the ambulance squad. He stated he would put a letter together for Board review.

ADJOURNMENT: **Motion** made by Ms. Mulholland, seconded by Mr. Formica with no further business anticipated, to adjourn into executive session at 10:05 p.m. With no additional comment, all voted in favor.

Respectfully submitted,

Carolyn McCreary, Manager

Date approved: