

# PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

May 6, 2008

## Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, May 6, 2008 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA.

### Present:

**Frank Froio**

**Stacey Mulholland**

**Vince Formica**

**Housley Carr** (departed meeting at 9:50 p.m.)

**Thomas Alvare**

**Carolyn McCreary**

**Jonathan Reiss, Esq.**

**Timothy Fulmer, P.E.**

**Chair**

**Vice Chair**

**Treasurer**

**Secretary**

**Member**

**Township Manager**

**Township Solicitor**

**Township Engineer**

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

**ANNOUNCEMENTS AND CALENDAR:** The Board's next meeting is May 20, 2008. The EAC meets May 8, 2008 at 7:30 PM. Mr. Froio reminded everyone that the Bucks County Police Memorial is on Thursday evening, and the Plumstead Police Benevolent Association will officially unveil and dedicate the Joseph E. Hanusey III memorial monument on Sunday May 18.

### **PUBLIC COMMENT:**

**Barbara Glassman, 4907 Cabin Run Rd.** announced she would be videotaping the meeting.

### **PRESENTATION: Earth Data – update on water study**

Mr. John Epps was asked to come before the Board to provide an update on the ground water study. A project update was distributed to the Board, and Mr. Epps discussed, objectives, scope-of-work, initial findings and the model assumptions. The Board asked questions relating to the projected timeline for the final report, as well as how the data was accumulated, and if in fact all available data was being utilized. The Board instructed Ms. McCreary to contact Bucks County Water & Sewer Authority (BCWSA) to obtain information relating to Inflow and Infiltration relating to the Township, and distribute it to Mr. Epps. They also asked Ms. McCreary to forward the EDU information relating to the settlement agreement to him. Mr. Epps will appear at a future Board meeting with a draft report to discuss what scenarios the Board would like to see modeled in the final report.

### **ENGINEER'S REPORT: Timothy Fulmer, P.E.**

- a. Haring Minor Subdivision Approval:** The applicants' attorney Thomas Smith spoke to the Board about the approval process, indicating the Planning Commission recommended the Board grant the waivers. Mr. Fulmer read from the Planning Commission review letter dated 03/20/08. He explained the waivers in depth to the Board. Mr. Smith expressed concern that the monuments had not been placed, and to have the current surveyor place it would require a third survey of the property. The Board instructed Ms. McCreary to contact the surveyor who did the conservation easement in 2005. It will be the responsibility of the applicant to install the monuments at the limits of the building only. There was also a discussion on the timing of the financial security. The Township will require a note on the plan that specifies that escrow funds to guarantee completion of improvements on the building lot must be deposited with the Township prior to building/zoning permit issuance. **Motion** by Mr. Formica, seconded by Ms. Mulholland to grant the Haring Minor Subdivision approval subject to the March 20, 2008 Planning Commission review letter, and waivers requested plus additional waivers requested May 6, 2008 from Thomas Smith III of Harris & Harris, and noting the financial security timing and the placement of monuments at the corners of the building on lot 2 parcel B. With no additional comment, all voted in favor 5-0.

- b. **Rite Aid Pharmacy:** The applicant asked to be moved to the first meeting in June.
- c. **Timberly Farm – Maintenance Period Status:** Mr. Fulmer provided an update of items on the punch list. He informed the Board that the bond expires at the end of the month, and the Board will only meet one more time before then. There are two bonds for public improvements. The bond relating to the sewer system is being handled by BCWSA. Mr. Fulmer will check on the status of the items on the list including the issues with the trees that residents have contacted the Township about. Ms. McCreary will contact Dr. Mercuri to determine the status of the items he indicated needed to be addressed.
- d. **Coluccio Planning Module:** Mr. Fulmer informed the Board that the planning module does not comply with the Township’s Zoning and Subdivision and Land Development ordinances. He indicated he was prepared to recommend the rejection of the planning module, but the applicant has requested an indefinite extension. He recommends tabling action on the planning module and accepting the extension. The Board noted the extension as being received, and took no further action.

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

- a. **Roadway Signage Ordinance Amendment:** Mr. Reiss stated he had revised the ordinance based on the Board’s concerns. The Board discussed specifics of the ordinance and what it may not be addressing. Questions also arose concerning the definition of a sight triangle, first amendment rights, and the ability to regulate signage on utility poles. Mr. Reiss advised the Board that the current amendment was written with safety issues in mind, as opposed to the ordinance adopted last month, which is all encompassing. Mr. Reiss was directed to revise the ordinance amendment in line with the discussion and resubmit it to the Board for further discussion.
- b. **Sewage Grinder Pump Ordinance:** Mr. Reiss explained the reasons why the ordinance was necessary and took questions from the Board. He was instructed to expand the items listed in the definition of grinder pump by adding the language “not limited to”. **Motion** by Ms. Mulholland, seconded by Mr. Alvare to authorize the advertisement of the modified ordinance 2008-10. With no additional comment, all voted in favor 5-0.

Mr. Reiss announced that he had several items for executive session.

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

- a. **Resolution Authorizing Capital Lease-Asphalt Zipper:** Ms. McCreary informed the Board that the resolution was necessary to enter into an agreement with Commerce Bank for a lease purchase on the asphalt zipper which was bid and awarded at the April 24 work session. **Motion** by Ms. Mulholland, seconded by Mr. Formica to adopt **Resolution 2008-09** for the lease purchase agreement of \$99,950. With no additional comment, all voted in favor 4-0.
- b. **Contract for Pipe/Precast Products and Storm Sewer Grates:** Ms. McCreary advised the Board that these items had been bid by the Bucks County Consortium and thus the Township could utilize the pricing. **Motion** by Mr. Formica, seconded by Ms. Mulholland to accept the award of the bid by the Bucks County Consortium to Chemung Supply. With no additional comment, all voted in favor 4-0.
- c. **Resolution establishing Plumstead Township Advisory Veterans Ad Hoc Committee:** Mr. Alvare asked if the language concerning the Committee’s actions (7h.) could be modified. The Solicitor was instructed to add the word official to the aforementioned line. **Motion** by Mr. Formica, seconded by Ms. Mulholland to adopt **Resolution 2008-10**, as amended. With no additional comment, all voted in favor 4-0.
- d. **Plan extension:** Ms. McCreary advised the Board that extensions had been granted for the following:
  - Fred Beans GM Land Development (SA 2008-04) to June 26, 2008.
  - Hobart Myers Jr. Revocable Trust Minor Subdivision (SA 2008-06) to June 30, 2008.

- e. **Bedminster Comprehensive Plan Review:** Ms. McCreary reminded the Board of the timetable for comments on the report. The Board expressed their concerns to Mr. Fineberg and asked him to review the document with them in mind.
- f. **Police Pension Advisory Board:** Ms. McCreary advised the Board that the committee had met on April 28. Mr. Alvare reported on the meeting and indicated draft minutes would be forwarded to the Supervisors.
- g. **Executive Session:** Ms. McCreary stated she had one issue for Executive Session involving a personnel matter. She indicated there would be no action as a result of the discussion.

**MINUTES:**

**Motion** by Mr. Alvare, seconded by Mr. Formica, to approve the minutes of April 15, 2008.

**PAYMENT OF BILLS:** **Motion** by Ms. Mulholland, seconded by Mr. Alvare to approve payment of the May 6, 2008 bills list subject to audit. With no additional comment, all voted in favor 4-0.

Ms. Mulholland noted the Earth Data invoice submitted at the prior meeting and removed was not on the list. Ms. McCreary stated the Board could authorize the release of this check in a separate motion.

**Motion** made by Mr. Alvare, seconded by Mr. Formica to approve payment of the outstanding Earth Data invoice in the amount of \$4,429.27 subject to audit. With no additional comment, all voted in favor 4-0.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**a. Supervisor's Issues:**

Mr. Alvare asked about the status of the letter outlining the proposed treatments to Geddes Pond.

**ADJOURNMENT**

**On motion** by Ms. Mulholland, seconded by Mr. Alvare, with no further business anticipated, to adjourn into executive session at 10:25 p.m. With no additional comment, all voted in favor 4-0.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date approved: