

PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS

November 10, 2015

Meeting Minutes

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, November 10 2015 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA

Present:

Dan Hilferty

Chair

Wayne Stork

Secretary

Nick Lykon

Assistant Secretary/Treasurer

Jonathan J. Reiss, Esq.

Township Solicitor

Timothy Fulmer, P.E.

Township Engineer

Carolyn McCreary

Township Manager

Absent:

Stacey Mulholland

Vice Chair

Frank Froio

Treasurer

Chairman Hilferty 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 EAC meets on November 11. The Planning Commission will meet on November 19. Mr. Hilferty stated that Ms. Mulholland and Mr. Froio will not be in attendance this evening.

PUBLIC COMMENT: Jerry Fox, 3713 Swetland Drive, who serves as Chairman of the Veterans Ad Hoc Committee thanked the Board of Supervisors on behalf of Township veterans and the Committee for their support of Veterans, and the establishment and support of the Veterans Park. He stated that 200-250 people were in attendance at the Veterans Day event held on Saturday, November 7.

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

- 1. Gayman Elementary School Land Development:** Ken Rodemer, Assistant Facilities Director with the Central Bucks School District, John Koopman, Esq., and Doug Waite P.E. spoke to the Board about the School District's request for a waiver of land development requirements relating to proposed parking and access revisions at Gayman Elementary School located on Point Pleasant Pike and Burnt House Hill Road. Mr. Rodemer noted there is currently one access with traffic backing up on Point Pleasant Pike and it is the only school without separate access for cars and buses within the School District. The Board asked questions about the hours when the proposed internal gates would be used to direct the internal circulation of traffic. Mr. Lykon asked about retaining the ballfield, improving the rear driveway and partnering with the sports organizations regarding the use and maintenance of the facilities including the soccer field in the rear of the school. Mr. Fulmer advised the Board that the School District is aware of the stormwater management issue and prepared to reimburse PennDOT for the installation of piping to the veterinarian's property, which is located on Silo Hill Road. He recommended as part of any waiver including as a condition Ms. McCreary's letter to Scott Kennedy and noted that this work proposed by PennDOT would meet the spirit of the Township's stormwater management ordinance. Discussion also focused on a comment in Dave Horner, the Township's Traffic Engineer's review letter dated 11/05/15 that addressed the

redistribution of trips at the intersection of Point Pleasant Pike and Burnt House Hill Road and the level of service that could result in the proposed change. The School District's traffic engineer, Daymond Drummond stated that the proposed changes meet the PennDOT criteria, as a traffic signal and turn lane warrants are not met. He noted that the decline only occurs during the ½ hour when the driveway is closed causing an additional six second delay. **Motion** by Mr. Lykon, seconded by Mr. Stork to approve the request for a waiver of land development subject to the C. Robert Wynn Associates review letter dated 10/15/15, the Stubbe Consulting review letter dated 10/19/15 and the Horner & Canter Associates review letter dated 11/05/15, leaving the ballfield in place, adding buffering and working to better utilize the soccer field with the sports organizations and reimbursement to PennDOT for the cost of stormwater management improvements per the Township Manager's letter dated 11/05/15 and acknowledgement of the School District that geometric improvements to mitigate the level of service conditions at the intersection of Point Pleasant Pike and Burnt House Hill Road cannot be made because the warrants for a traffic signal and turn lane are not met. Jamie Catalano, 4585 Summerhill Drive, noted the big traffic problems present when he walks his child to school and read from a prepared statement. He stated that the traffic study did not include a pedestrian analysis, yet cited overall safety as a reason for the proposed improvements. He offered alternatives to the plan and noted that other schools have an internal loop and not a second driveway. Chris Boyle, 4502 Ridgetop Road asked why a resumption of bus service wasn't considered before making this change and the plan needs to be reevaluated. Andrea Hanna, 4574 Summer Hill Drive, stated the plan needs to be looked at more carefully because of the number of children walking to the school. With no additional comment, all voted in favor 3-0.

2. **Hanusey Community Park-Maintenance Period:** John VanLuvanee, Esq. and Ray Grochowski appeared before the Board on behalf of the Developer. Mr. VanLuvanee stated that this project involved the development of Hanusey Community Park on Gordon Road, which has been open for about 1 ½ years. Mr. Fulmer reviewed the details of his memorandum sent via email to Ms. McCreary in preparation for the meeting, which outlined the status of the 18-month maintenance period. Mr. Fulmer noted that the landscaping had been assessed on September 10 and at that time there were 23 deciduous trees and 10 evergreen trees that were identified as needing to be replaced and 28 more trees were noted for further monitoring, pruning and/or straightening. The Board discussed the health of the landscaping in the park (trees and shrubs) with Mr. Lykon expressing concern about the mortality rate of the trees in the park because they are not being properly maintained prior to being turned over to the Township and therefore the maintenance period should continue beyond the normal 18 months. Mr. Stork stated that he did not agree with a perpetual obligation for tree replacement by the developer. Mr. Lykon asked if the \$20,150 financial guarantee for the trees identified in Mr. Fulmer's email could be used to cover additional plantings, pointing to plantings around the flagpole. Mr. Grochowski noted that those plantings were not required as part of the plan. He also stated that the watering of the trees and plantings falls to the Township as the owner of the park just as it would to an HOA for open space or a homeowner for their property. Mr. Hilferty asked about trees that may have not been planted correctly to begin with. Mr. Grochowski and Mr. VanLuvanee agreed that they could speak on behalf of Mr. Reiser, the developer and agree to allow the financial security to cover all the trees at the park, but at no amount greater than the \$20,150.00 financial security that was already agreed to. Mr. Reiss noted that the Township has not received the title insurance policy for the park and verification that the insurance premiums have been paid. **Motion** by Mr. Stork, seconded by Mr.

Lykon to accept completion of the maintenance period conditioned on receiving a cash escrow in the amount of \$20,150.00 to guarantee the condition of all the trees and shrubs at the park thru 05/31/2016 and agree that the \$20,150.00 is the limit of the financial security, and receiving the title insurance policy for the park as well as proof of payment of the premium. With no additional comment, all voted in favor 3-0.

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

1. **Zoning Hearing Board Application-4495 Blue Ridge Drive:** Mr. Reiss described the application, stating that the property owner is seeking a variance from the ordinance requirement that deed restricted open space cannot be included in impervious calculations. The proposed improvement is an in-ground swimming pool. Board consensus was to have the Zoning Hearing Board render a decision based on the application and testimony provided by the property owner.

ADMINISTRATIVE REPORT, Carolyn McCreary, Township Manager

1. **Owls Nest Park Change Order:** Ms. McCreary advised the Board that Jon Tressler, Judy Stern Goldstein and Valerie Liggett of Boucher & James were present to explain what occurred to stop the construction of the bridge abutments and the resulting change order that the Board is going to be asked to consider. Mr. Tressler explained that upon inspection of the bridge abutment work he discovered that the bridge as currently designed would be too low in the stream channel, and that it appeared that cross sections developed to obtain the waterway opening were off by about one foot. He stated he is recommending that it be raised two feet and Hanover Engineering, the Township’s wetlands consultant had rerun the hydraulic analysis. Ms. Stern Goldstein stated that the approach to the bridge would still meet the ADA requirements and explained the different ADA criteria used for parks and trails versus access from a parking lot to a building. Mr. Tressler stated that the change order is for \$12,448.00 but could be somewhat lower, as he believes the fill was estimated on the high side. Mr. Lykon stated he understood the project could not be delayed or the bridge would not be delivered and installed on November 25. Mr. Tressler was asked how the error occurred and who is ultimately responsible. **Motion** by Mr. Lykon, seconded by Mr. Stork to approve Change Order No. 2 in the amount of \$12,448.00 with the Township reserving the right to seek recovery of costs relating to the change order from any professional associated with the project deemed responsible for the necessity of the change order. With no additional comment, all voted in favor 3-0.
2. **Professional Services Agreement-German & Stump Roads:** Ms. McCreary presented a professional services agreement for a sketch plan. **Motion** by Mr. Stork, seconded by Mr. Lykon to approve the professional service agreement. With no additional comment, all voted in favor 3-0.
3. **CBAA Community Building Use:** Ms. McCreary advised the Board she has received a request from Becky Barlow, the President of the Central Bucks Athletic Association seeking to use the community building as a meeting space or location for distribution of items, but at a reduced rate. She stated in a subsequent email Ms. Barlow requested use of the building specifically on November 19 at a reduced fee since the meeting was expected to last less than two hours. **Motion** by Mr. Lykon, seconded by Mr. Stork to waive the rental fee and security deposit only for the November 19 meeting. With no additional comment, all voted in favor 3-0.
4. **FEMA Hazard Mitigation Grant:** Ms. McCreary advised the Board that she and Mr. Reiss had met with a representative of FEMA concerning the proposed elevation to the house at 4945 River

Road, and at the request of the property owner participated in a conference call with PEMA and the property owners. She stated that there are concerns about the project estimate because it was put together a number of years ago and did not account for prevailing wages, which PEMA has now verified would apply to the project. During the conference call concerns about non-construction costs like engineering, surveying, inspections and project management were also discussed as the project cannot exceed \$175,000 regardless of who is paying for any excess costs. FEMA has stated that if the project exceeds this amount the money must be returned to FEMA. Mr. Reiss also asked again for a definitive list of all items in the project that are not considered eligible costs. Board consensus was to have Ms. McCreary contact the property owners about coming before the Board to answer questions about posting financial security and obtaining an updated cost for the proposed elevation before they could consider entering into an agreement with FEMA as the subgrantee on the project.

Ms. McCreary stated that there is a need for an Executive Session to discuss a personnel matter.

PAYMENT OF BILLS: Motion by Mr. Stork, seconded by Mr. Lykon to approve the bills list dated 11/10/15 subject to audit. With no additional comment, all voted in favor 3-0. The amounts reported on the bills list are as follows: General Fund - \$97,302.78, Water Fund - \$38,649.09, Local Services Tax Fund - \$31,099.00, Open Space Fund - \$3,285.53, Capital Reserve Fund - \$77,792.13, State Liquid Fuels Fund - \$1,062.52, Police Explorers' Post - \$1,642.04, Developers' Escrow Fund - \$11,963.83, Construction Escrow Fund - \$6,000.00

APPROVAL OF MINUTES: Motion by Mr. Stork, seconded by Mr. Lykon to approve the minutes of the 10/27/15 meeting. With no additional comment, all voted in favor 3-0.

PRESENTATION OF 2016 TOWNSHIP BUDGET:

Ms. McCreary provided the Board with a detailed line-by-line budget for all the Township funds, and supplemented that information with a PowerPoint presentation to provide a broader picture of the Township's financial structure and some of the key components that affect the budget, particularly the General Fund. She reviewed assumptions built into the budget including maintaining and in some cases increasing services and the hiring of a full-time Public Work employee to lead the mowing and grounds maintenance of Township parks and open space, the transition of a part-time Public Works employee to full-time, a new position for a Parks & Recreation Coordinator, a new hire in Administration, the reopening of Owls Nest Park and the dedication of Gardenville Fields located in Plumstead Chase. Ms. McCreary pointed out that she is proposing a budget with the same millage rate of 13.94 as the prior year, with 59% of the real estate taxes dedicated to debt service. She noted that the operating expenditures will be paid for with current year tax revenue and the use of approximately \$300,000 in reserves because she is using conservative estimates for key revenue lines like the earned income tax and real estate transfer taxes. Ms. McCreary stated that certain proposed capital purchases/projects would be paid for from designated reserves intended for this purpose (approximately \$700,000), stating that operating revenue was insufficient to pay for them. She reviewed the details of the proposed capital projects and expenditures that had been previously presented at the October 27 meeting which included the reconstruction of a portion of Applebutter and Groveland Roads, microsurfacing of the North Branch Subdivision, in-house paving projects, Police capital including the purchase of a patrol SUV and a Detective's vehicle, the Township's share of a body camera grant, computer equipment, and an in-

vehicle camera system for the new vehicles as well as continuing participation in the County-wide DNA data bank. It also includes a number of items relating to Hanusey Park including the development of the well located near the maintenance building, irrigation equipment for the sportsfields, foul ball protection netting and field and fence improvements. Ms. McCreary stated that \$50,000 had been budgeted for Township trails, although the trail locations had not yet been identified as the Trail Steering Subcommittee was still working on the plan to present to the Board of Supervisors. She stated that the proposed expenditures in the 2016 budget for the General Fund total \$6,186,843 which represents a 9.0% increase over the 2015 adopted budget primarily because of the proposed capital expenditures/projects, and the proposed new hires. She stated that when comparing only the operating budgets (no capital) the 2016 proposed budget is slightly less than the 2015 operating budget. She commended the staff on their continued diligence in monitoring expenses throughout the year and doing their best to contain costs where possible. She stated that all departments continue to work towards providing efficient and cost effective operations. Ms. McCreary stated that the largest single expenditure area in the budget is the Police Department which is budgeted at \$2,864,621 and represents 46% of the proposed expenditures. She stated that 95% of the department's budget is for wages/benefits and insurance requirements like property, Police professional liability and workers' compensation. She noted that the remaining 5% includes vehicle maintenance, service contracts and fuel for the patrol cars leaving the Chief with little discretionary spending. She also pointed to the projected earned income tax revenue covers the costs of the Police Department. She reminded the Board that the capital relating to the Police Department is paid out of the Local Services Tax Fund. She outlined the other department's expenditures, noting that the Public Works Department comprises 15% of the budget and Administration comprises 13% of the budget, noting that Administration area includes proposed expenditures relating to the buildings. She pointed out that the Parks & Recreation portion of the General Fund will account for 9% of the budget, but is again 16% higher than the prior year's budget because of the proposed capital expenditures relating to the parks and for the proposed streambank work in the Summer Meadow Subdivision. The remaining 17% of the proposed expenditures relate to professional fees, Code Enforcement/Zoning, minor debt service and the annual pension contribution for non-uniform personnel. Ms. McCreary described the trend in real estate tax revenue, pointing out that the Township's assessed valuation had increased by 9.4% since this time last year. She also highlighted the trend in earned income tax and real estate transfer tax revenue for the last 10 years, and the effect the Township's General Fund operations, 2015 adopted budget and 2016 proposed budget have on the fund balance. She also updated the Board on the amount of capital improvement fees collected by the Township for the Plumstead Chase and Carriage Hill residential developments, pointing to these funds as being a source for the improvements at Hanusey Park. Ms. McCreary reviewed the allocation of the proposed millage. She noted that 59% of the real estate taxes collected by the Township is for debt service, the majority of which is electoral with 29% being used for general purposes, 8% for the two (2) volunteer fire companies, 3% for ambulance service and 1% for future open space acquisitions when the current bond proceeds for open space are depleted. She pointed out that the Township's real estate taxes represent 9% of the total real estate taxes paid by a property owner, with 77% going to the School District and the remaining 14% to the County. She showed specific examples of the real estate taxes that a sampling of properties in the Township currently pay to the School District, the County and the Township. Ms. McCreary closed her presentation with identifying various financial goals and operational goals for the coming year. She reminded the Board that she is seeking an authorization to advertise the budget, which would make it available for public inspection for

20 days before it could be adopted. **Motion** by Mr. Lykon, seconded by Mr. Stork to authorize the advertisement of the 2016 proposed budget. With no additional comment, all voted in favor 3-0.

OLD BUSINESS: None

NEW BUSINESS: None

PUBLIC COMMENT: Royal Doner, 5221 Valley Park Road commended Ms. McCreary on the budget presentation.

ADJOURNMENT: **Motion** by Mr. Stork, seconded by Mr. Lykon to adjourn into Executive Session at 10:15 p.m. With no additional comment, all voted in favor 3-0.

Respectfully submitted,

Carolyn McCreary, Township Manager

Date Approved