

**PLUMSTEAD TOWNSHIP BOARD OF SUPERVISORS**  
**March 15, 2011**  
**Meeting Minutes**

The public meeting of the Plumstead Township Board of Supervisors was held on Tuesday, March 15, 2011 at 7:30 p.m. at the Plumstead Township Municipal Building, 5186 Stump Road, Plumsteadville, PA.

Present:

**Frank Froio**  
**Stacey Mulholland**  
**Wayne Stork**  
**Daniel Hilferty**  
**Thomas Alvaré**  
**Jonathan J. Reiss, Esq.**  
**Timothy Fulmer**  
**Carolyn McCreary**

**Chair**  
**Vice Chair**  
**Secretary**  
**Treasurer**  
**Assistant Secretary/Treasurer**  
**Township Solicitor**  
**Township Engineer**  
**Township Manager**

Chairperson 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:**

Mr. Froio announced that the Board had met in Executive Session at 7:00 p.m. to discuss a real estate matter. The Board of Supervisors Worksession scheduled for March 31 is cancelled. The Planning Commission meets on March 17. The Park & Recreation Advisory Committee meets on March 22. The EAC meets on March 23.

Mr. Froio reminded everyone that the Township's annual egg hunt is Sunday, April 10 at 2:00 p.m. at the Tohickon Middle School and the Great Grizzly 5K race is scheduled for Saturday March 26.

**PUBLIC COMMENT:** **Ihor Pasicznyk, 4923 Silo Hill Road** reminded the Board that when they change the location on meetings it should be noted on the agenda. He also said he called to ask about tonight's meeting location and no one answered the phone.

**PRESENTATION:** Mr. Froio announced that the presentation to Mr. Ken Worthington was being postponed to the April 5 meeting.

**Carriage Hill Recreational Fields:** John VanLuvanee, Esq. and Ray Grochowski of A&E Consulting, LLC. Spoke to the Board about the information that had been forwarded to them showing the more detailed layout of the sports fields and the proposed equipment/amenities that were being proposed as part of the recreational fields. Mr. Bill Reiser, the developer was also in attendance. Members of the Township's Park & Recreation Advisory Committee were also in attendance at the request of the Board of Supervisors. Mr. VanLuvanee addressed the details of the escrow that will address these improvements, emphasizing that \$370,000 is the equipment budget and the Township would have the ability to make changes within the boundaries of it. He stated that any changes would need to be formally noted before the equipment is ordered. Mr. Grochowski reviewed the details of what was being proposed as far as equipment and accommodations for the planned park. He indicated that the goal was to have the equipment ordered in June with spring 2012 as the target for the facilities to be available for use. The Board expressed appreciation for the level of detail presented. Mr. Alvaré spoke about the possibility of expanding the uses at the site since not all Township residents are involved in organized sports. He referenced a possible environmental education center in the future or tennis courts. Mr. Reiss reminded the Board and those in attendance that the fields on the approved plan could not be altered as this is also tied into an agreement that the Township entered into with the Central Bucks Athletic Association (CBAA). Ms. Mulholland brought up the idea of reconsidering the idea of a snack bar/equipment building for a community center as a way of offering something for more residents. Mr. Froio spoke about the need to name the park, offering several suggestions. Mr. Hilferty inquired about the trail at the site and the feasibility for providing lighting on it. Board consensus was to share the details with the Park & Recreation Committee members at their next meeting. Mr. Reiss stated that rules and regulations would also have to be drafted for the site, including hours it would be open.

**Proposed Girl Scout Project:** Mora Harte and Jessica Malobisky, both Township residents and members of Girl Scout Troop 2315 presented information to the Board concerning their desire to maintain the eco system of Geddes Pond as a project in order to obtain their ECO Action and Wildlife badges. The informed the Board that Geddes Pond fits the criteria for certification as a Garden for Wildlife, stating the pond is very active with various animals and birds, as well as a stock of fish. The girls respectfully requested funding from the Township in the amount of \$50 which would cover the cost of obtaining the certification and the Wildlife sign. **Motion** by Ms. Mulholland, seconded by Mr. Alvaré to approve the project and the \$50 expenditure. With no additional comment, all voted in favor.

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

1. **Public Hearing (Ordinance 2011-01) Condemnation for Water Line Easements:** Mr. Reiss identified the ordinance as authorizing the use of eminent domain to secure easements on three properties for the northern water system project. He identified the properties as the Wawa, the Plumstead Square Shopping Center and a private residence owned by the Menzens. Mr. Reiss explained the process for the hearing, announcing the date of the advertisement in the Intelligencer and stating that the legal notice had been posted outside the Township building on the designated board with the draft ordinance available for public inspection at the Township building and the law library. He then turned the hearing over to Mr. Froio who officially opened it. There were no questions from the Board and no public comment. The hearing was closed. **Motion** by Mr. Stork and seconded by Mr. Froio to adopt Ordinance 2011-01. With no additional comment, all voted in favor.
2. **Plumstead Crossing:** Mr. Reiss reminded the Board that at their last meeting the Board had found the developer in default of the maintenance period for failure to complete the punch list and replenish the professional services account to the required level. He advised the Board that he had been contacted by the bank who issued the letter of credit for Mr. Keenan. He informed them that a check had been issued by the bank to replenish the professional services account to the level required (\$2,500). He stated the check was accompanied by a letter from the bank committing to complete the items required to accept the termination of the 18-month maintenance period by May 1, 2011. He recommended that the Board accept this proposal as an alternative to the Township seizing the letter of credit and paying someone to complete the work. **Motion** by Mr. Hilferty, seconded by Mr. Alvaré to formally accept the proposal as a cure for the default. With no additional comment the vote was 4-0 with Ms. Mulholland abstaining as she has on all past votes in this matter.
3. **Fire Companies – Legal Work:** Mr. Reiss advised the Board that in the past on various occasions, Officers of the fire companies had contacted attorneys at the firm with legal questions. He stated that recently this came to light when Ms. McCreary was reviewing the monthly invoices, as the most recent fire company matter involved several hours and legal research. He recommended that the Board institute a policy where the fire companies must seek the approval of the Township Manager before engaging any attorney in his firm. Board consensus was to approve the policy. Mr. Froio asked Ms. McCreary to notify the presidents of the two volunteer fire companies.

Mr. Reiss stated that he had two real estate matters and one litigation matter for Executive Session.

**DEPARTMENT REPORTS:**

1. **Police Department:** Chief Hasenauer’s report is on file. The Chief presented addendums E-1 through E-4 for the Standard Operating Policy Manual to the Board accompanied by amendments to the SOP that had been recommended by the attorney for the Township’s insurance carrier. The addendums were entitled: Taser X26 Electronic Control Device, Executing Search Warrants and/or High Risk Arrest Warrants, Controlled Tire Deflation Devices and Towing of Vehicles. The Supervisors indicated they had reviewed the documents. **Motion** by Mr. Alvaré, seconded by Mr. Hilferty to adopt Addendums E-1 through E-4. With no additional comment, the vote was 4-0 with Mr. Froio abstaining as he is related by marriage to one of the towing company owners noted in Addendum E-4. **Motion** by Mr. Stork, seconded by Ms. Mulholland to approve the amendments to the Police Department SOP. With no additional comment, all voted in favor.

2. **Public Works:** Mr. Blean's report is on file. Mr. Blean answered questions about road repairs as a result of the winter freezing and thawing that had occurred. Ms. McCreary informed the Board that the staff would be sending letters to property owners in the Country Greene Subdivision who had items and structures in Township Open Space. She also stated letters would be sent to the identified residents of Windtree who are mowing into the Township Open Space.
3. **Land Use & Code Enforcement:** The Department's report is on file.
4. **Finance Department:** The budget versus actual report for 02/28/11 is on file.

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

1. **Resolution 2011-05 (Eagle Scout Recognition):** Ms. McCreary presented a resolution to the Board recognizing and commending resident Zachary DiAngelo for attaining the rank of Eagle Scout in the Boy Scouts of America. She reminded the Board that his project involved organizing a group of volunteers to make new footings for a number of headstones in the Plumstead Cemetery. **Motion** by Mr. Hilferty, seconded by Ms. Mulholland to adopt Resolution 2011-05. With no additional comment, all voted in favor.
2. **Resolution 2011-06 (Gold Award Recognition):** Ms. McCreary presented a resolution to the Board recognizing and commending resident Juliana Frederick for receiving the Gold Award, which is the highest award one can receive in the Girls Scouts. She noted that her project was coordinating volunteers to make personal bulletin boards which were delivered to veterans at Walter Reed Army Hospital and the Coatesville Veterans Hospital. **Motion** by Ms. Mulholland, seconded by Mr. Hilferty to adopt Resolution 2011-06. With no additional comment, all voted in favor.
3. **4220 Applebutter Road – Well Waiver:** Ms. McCreary advised the Board Andy Lykon had just contacted her seeking a waiver of the 300 feet well depth as permitted in the Township Ordinance. She presented a letter from DelVal Soul & Environmental Consultants, Inc. which was certified by a professional geologist and is a requirement for a waiver to be considered. She also informed the Board that the Township's former hydrogeologist had reviewed the correspondence and recommended that the Board of Supervisors grant the well waiver. **Motion** by Ms. Mulholland, seconded by Mr. Stork to grant the well waiver for 4220 Applebutter Road based on the recommendation of Mercuri and Associates. With no additional comment, all voted in favor.
4. **Flood Plain Map Updates:** Ms. McCreary advised the Board that as a result of the changes in the proposed flood maps municipalities are required to notify residents that the maps are available for inspection. She stated that the municipalities in Central Bucks were putting in a single display ad that will run multiple times and split the cost rather than run individual ads, and that the County will be working on making maps available to the municipalities to see the overlay of the proposed changes over the current map.

**PAYMENT OF BILLS:** **Motion** by Mr. Hilferty, seconded by Mr. Alvaré to approve the bills list and the addendums dated 03/15/11 subject to audit. With no additional comment, all voted in favor. The amounts reported on the bills list are as follows: General Fund - \$76,416.39, and addendum - \$1,056.22, Water Fund - \$12,015.59, Local Services Tax Fund - \$644.41, Open Space Disbursement Fund - \$672.00, State Liquid Fuels - \$1,447.01, Construction Escrow - \$2,503.00, Zoning Hearing Board Escrow - \$680.50, Developers' Escrow - \$11,848.68 and addendum \$378.00

**APPROVAL OF MINUTES:** **Motion** by Mr. Hilferty, seconded by Ms. Mulholland to approve the minutes dated 03/01/11. With no additional comment, all voted in favor.

**OLD BUSINESS:** None

**NEW BUSINESS: Supervisors' Issues**

**Mr. Hilferty** asked if the Board would be available to hold a special meeting on April 25 to discuss the design of the Veterans' Park with representatives from DelVal College.

**Ms. Mulholland** spoke to the Board about the letter they had received from the President of the Point Pleasant Volunteer Fire Co. She expressed concern that many of the issues are the same ones that the fire company has been mentioning for years. She asked if the Township could put an article in the next newsletter about false alarms in an effort to educate residents and business owners about maintaining and monitoring their systems.

**ADJOURNMENT:** **Motion** by Ms. Mulholland, seconded by Mr. Hilferty to adjourn at 9:35 p.m. into Executive Session. With no additional comment, all voted in favor.

Respectfully submitted,

Carolyn McCreary  
Township Manager

Date approved: \_\_\_\_\_