

**MINUTES OF PLUMSTEAD TOWNSHIP
BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
SEPTEMBER 13, 2023**

1. Call to Order: The September 13, 2023, regular scheduled meeting of the Plumstead Township Board of Supervisors was held at Plumstead Township Municipal Building, 5186 Stump Road, Pipersville, PA. Chairman, James McComb, called the meeting to order at 7:00 p.m.

ELECTED OFFICIALS PRESENT:

James McComb	Chair
Daniel Hilferty	Vice Chair
Kenneth Lichtenstein	Assistant Secretary
Peter Busillo*	Member
Gregory Bankos	Assistant Treasurer

APPOINTED OFFICIALS PRESENT:

Township Manager:	Angela P. Benner
Township Solicitor:	Jonathan Reiss, Esq.
Township Engineer:	Timothy Fulmer, PE

* Not Present

2. Moment of Silence & Pledge of Allegiance: Mr. McComb led the Board and Audience in a moment of silence followed by the Pledge of Allegiance.

3. Announcements: There were no announcements at this time.

4. Public Comment: Edward Stevens of Burnt House Hill Road expressed his concerns with the Township's pump and haul requirement that is outlined in the Township's sewer ordinance and stated that the Township is putting a burden on senior citizens in the community. Mr. Stevens stated he would like there to be different standards put in place for places that do not have a lot of use for a number of years. Mr. Reiss stated that this is a standard requirement by PADEP throughout the state.

5. Swearing in of Officer Matthew Sozio: Chief Mettin provided background on Officer Sozio. District Justice Gary Gambardella swore in Officer Sozio.

6. Zoning Hearing Board Applications

6.1. 4728 River Road: Ms. Benner stated that the Applicant is requesting a variance to permit the use of the Mountainside parking lot as a transportation/shuttle station for patrons of the Delaware River Tubing Operation. The property is located entirely in a FEMA designated Zone AE Floodplain and therefore only certain uses are permitted. Ms. Benner added that the Township's zoning officer determined that the proposed use is not permitted. Ms. Benner stated that since this is an appeal of the zoning officer's decision, the Board should consider to send the Township Solicitor to oppose the application.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously authorized the Township Solicitor to oppose the Zoning Hearing Board application for 4728 River Road.

6.2. 5960 Durham Road (Kingdom Provisions): Mr. Reiss stated that the property owners quickly started to address the violations at their property and have contracted with a company to remove the animal waste and have produced evidence to establish that the cement pad was used as part of the operation before and therefore per PA Supreme Court case law the property owner can enclose it with an addition. Therefore, it was Mr. Reiss recommendation to notify the property owner that they have come into compliance with the enforcement notice and that the appeal is not needed. The Board provided a consensus for the Solicitor to notify the property owner that an appeal is no longer needed.

6.3. 4939 Swamp Road (Bailey's Square Shopping Center): Ms. Benner stated the applicant is requesting a variance to reduce the number of parking spaces serving the Bailey's Square Shopping Center to allow for an outdoor dining area. There was a consensus from the Board to leave the matter to the Zoning Hearing Board.

7. Land Development:

7.1. Widmeier Minor Subdivision – Consideration of Preliminary/Final Approval: Ms. Benner stated that the applicant is proposing to subdivide the 12.79 acres site located on Meetinghouse Road in the R-2 district into two (2) lots. The applicant's engineer, Jason Smeland, discussed with the Board the proposed area for where the sewer main could go that provides the least amount of disturbance. In order to run the sewer, the applicant would need a 20-foot-wide easement from the Township to go through Township open space. Mr. Fulmer stated that it was the recommendation of the planning commission that the existing vegetation be preserved within the required Class D agricultural buffer yard areas to satisfy landscaping requirements of the zoning ordinance.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously granted waivers A-C outlined under #2 of the Wynn Associates review letter dated August 7, 2023 and to use the existing vegetation to satisfy the landscaping requirements subject to the following: providing a \$5,000 capital contribution in lieu of required street improvements and execution of a Declaration of Covenants, Conditions and Restrictions being executed.

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. McComb, the Board unanimously agreed to a 20-foot-wide sanitary sewer easement on Township property subject to being included in the Declaration of Covenants, Conditions and Restrictions.

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. Bankos, the Board unanimously granted preliminary / final approval of the Widmeier Minor Subdivision, TMP #34-4-57 subject to compliance with the Wynn Associations review letter dated August 7, 2023.

7.2. Clawson – Serino Minor Subdivision – Consideration of Preliminary / Final Approval: Ms. Benner stated that the applicant proposes a 2 lot subdivision of the 7.17 acres located at the corner of Shad Lane and State park Road in the RP district. Kristin Holmes, the applicants engineer, reviewed the requested waivers with the Board. Mr. Hilferty asked if the applicant would be willing to protect the woodlands at the corner of the property. There was no objection from the applicant.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Hilferty, the Board unanimously approved waivers A-C outlined under #3 on the Wynn Associates review letter dated August 7 2023 subject to the following: applicant showing existing features on the plan if deemed important by the Township, providing a \$5,000 capital contribution in lieu of required street improvements, a conservation easement encompassing the area of wetlands/wetland margins, and execution of a Declaration of Covenants, Conditions and Restrictions.

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. Hilferty, the Board unanimously granted preliminary/final approval of the Clawson – Serino Minor Subdivision, TMP #34-6-86 subject to compliance with the Wynn Associates review letter dated August 7, 2023.

8. New Business

8.1. Conditional Use Application of Twin Silo Farms – Consideration of Waivers: Kellie McGowan, attorney for the applicant, stated that they are requesting waivers from submission requirements and prior to knowing if the conditional use is granted. Mrs. McGowan stated that they will be providing a lot of information and testimony at the hearing. This would be a deferral of requirement of studies at application being submitted at time of the hearing.

Michael May of Twin Silo Road expressed his concern with the waiver of the traffic impact study due to his concern with traffic on Twin Silo Road. Mr. May stated that the road is too narrow, designated scenic and used by walkers, runners and bikers. Mr. May added that there is not need for the event venue use and asked the Board to deny the waiver request.

Hausley Carr of Twin Silo Road expressed the same concerns as Mr. May and stated that it is important to have all the information prior to a conditional use hearing.

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein to defer to the conditional use hearing the requested waivers of the traffic and well impact statements at the site, as well as from Section 27-2808 that requires providing all existing manmade features within 500 feet of the property on the site plan, subject to the applicant providing the Township Engineer any further information required for review of the plan.

8.2. Resolution #2023-23: 2024 Police MMO:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved Resolution #2023-23 approving the Police Pension Minimum Municipal Obligation for 2024 in the amount of \$344,023.

8.3. Resolution #2023-24: 2024 Non-Uniform MMO:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously approved Resolution #2023-24 approving the Non-Uniform Pension Minimum Municipal Obligation for 2024 in the amount of \$184,079.

Amendment of Agenda:

MOTION: Upon motion by Mr. Bankos, seconded by Mr. McComb the Board unanimously approved amendment of the agenda to add Historic Advisory Committee report.

8.4. Historic Advisory Committee Update: Kimberly Troup presented the Board with an update on where the committee is with updating the historic inventory list. Ms. Troup mentioned that there is a historic report that is referenced in the open space plan and requested a copy be provided to her. The Board thanked Ms. Troup for the update and her dedication to the committee.

8.5. VFCs Request for Coverage of Fuel Costs: Ms. Benner stated that the Volunteer Fire Companies have requested that additional fuel costs be covered by the Township.

MOTION: Upon motion by Mr. McComb, seconded by Mr. Lichtenstein, the Board unanimously approved covering up to an additional \$7,500 for the Volunteer Fire Companies fuel expenses for the remainder of the year.

8.6. Authorization to place Public Works Equipment on Municibid: Ms. Benner provided a list of vehicles and equipment requested to be placed on Municibid for auction.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously authorized public works equipment/vehicles, as listed on Mr. Bleam's memo dated August 23, 2023, be placed on Municibid.

8.7. Appointment of Right to Know Officer and EAC Chair:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously appointed Angela Benner as the Township's Right to Know Officer and to appoint Bala Sreenivasen as the EACs interim chair.

8.8. Resolution #2023-24 Fee Schedule Update: Ms. Benner stated that the cost of water meters has gone up therefore, the fee schedule needs to be updated to cover that cost.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved Resolution #2023-24, updating the fee schedule.

8.9. Resolution #2023-25 Amending Veterans Committee:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved Resolution #2023-25, amending the Veterans Committee to allow for ten (10) members.

8.10. Appointment to Veterans Committee:

MOTION: Upon motion by Mr. McComb, seconded by Mr. Bankos, the Board unanimously appointed Daniel Hilferty to the Veterans Committee.

9. Old Business:

9.1. Authorization to send revised draft of Codification Ordinance to Township and Bucks County Planning Commission and to authorize advertisement for adoption.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously authorized sending the Codification Ordinance to the Township and Bucks County Planning Commissions and authorized advertisement of the Ordinance for consideration at a future Board meeting.

10. Consent Agenda

10.1. Bills List Dated August 17, 2023 in the amount of \$359,198.16, subject to Audit

10.2. Bills List Dated September 7, 2023 in the amount of \$200,989.10, subject to Audit

10.3. Minutes of Meeting of August 9, 2023

10.4. Quakertown Borough Request for Fire Police for Halloween Parade October 22, 2023 with rain date of October 29, 2023.

10.5. New Britain Township Request for Fire Police for Annual Fall Festival/Car Show and Firework Celebration on September 23, 2023.

10.6. Sellersville Borough Request for Fire Police for Winterfest Event on December 9, 2023.

10.7. Authorization to Execute Record Plans for the Wurz Subdivision

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. McComb, the Board unanimously approved the Consent Agenda.

11. **Board of Supervisors Comments:** Mr. McComb stated that September 15th is National POW-MIA Recognition Day.

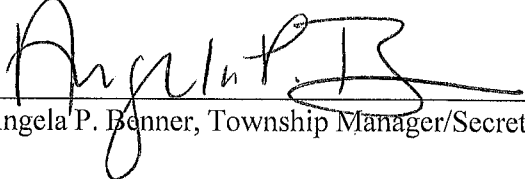
12. **Public Comment:** There was no public comment at this time.

13. **Adjournment:** Upon motion by Mr. Lichtenstein, seconded by Mr. Hilferty, the meeting was adjourned at 8:45 p.m.

Respectfully Submitted,

Date Approved:

10/11/23



Angela P. Benner, Township Manager/Secretary