

**MINUTES OF PLUMSTEAD TOWNSHIP
BOARD OF SUPERVISORS
REGULAR SCHEDULED MEETING
AUGUST 14, 2024**

1. Call to Order: The August 14, 2024, 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:

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| James McComb | Chair |
| Daniel Hilferty | Vice Chair |
| Kenneth Lichtenstein | Member |
| Gregory Bankos | Assistant Secretary |
| Matthew Given | Assistant Treasurer |

APPOINTED OFFICIALS PRESENT:

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| Township Manager: | Stacey Mulholland |
| 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:

Mr. McComb announced that the Board met in executive session on July 22nd, to discuss personnel matters and that the Board met in executive session on August 14th, to discuss a litigation matter. Mr. McComb read a statement recognizing all Plumstead Township Police officers for their excellent service to the residents and taxpayers of Plumstead Township.

4. Public Comment:

There was no public comment at this time.

5. Swearing in of Sergeant Moffett, Sergeant Dockery, Sergeant Snyder & Sergeant Rutecki:

Chief Mettin made a presentation in which he recognized the skills and leadership of the corporals and officers who were promoted to sergeants. Chief Mettin then read a brief biography of each corporal and officer.

Judge Gary Gambardella performed the swearing-in of Corporal Jeff Moffett, Officer Mark Snyder and Officer Thomas Rutecki as newly promoted Sergeants. Corporal Tim Dockery will also be promoted but was unable to attend and will be sworn in at a later date.

Rep. Shelby Labs presented the newly promoted sergeants with certificates from the PA House of Representatives.

6. 2024 Joseph E. Hanusey Scholarship Award:

Sergeant Rutecki, on behalf of Explorers Post 5708 and the Hanusey Family, presented Tiana Danas with the 2024 Joseph E. Hanusey Scholarship Award.

7. Appointments:

7.1. Appointment of Township Treasurer and Township Secretary:

MOTION: Upon motion by Mr. Lichtenstein, seconded by Mr. Hilferty, the Board unanimously appointed Stacey Mulholland as Township Treasurer and Township Secretary.

7.2. Resolution #2024-15: Acknowledgement of Employee Wages & Benefits, Paid Time Off, Holidays, Bond Limit, Mileage Reimbursement Rate, Meeting Dates & Staff Appointments, replacing Resolution #2024-01:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously approved Resolution #2024-15 acknowledging staff appointments and replacing Resolution #2024-01.

8. Old Business:

8.1. Authorization of Advertisement of Zoning Ordinance Amendment – Limited Winery Operations:

Rich Adamek of 3612 Stump Road and owner of Vivat Alfa Winery expressed his concern with the proposed parking regulations in the Limited Winery Ordinance. He stated that his concern is that the proposed ordinance requires 1 parking spot for every 2 patrons. He believed this was too restrictive.

Mr. Oetinger explained that we need to look at it for the whole Township and not just for one specific property. Mr. Oetinger explained that parking spaces can be placed in reserve, which means they don't need to build the parking spaces, they just need to show them on the plan and then if needed, they can build the additional parking spots.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously authorized advertisement of Zoning Ordinance Amendment – Limited Winery Operations.

8.2. Authorization of Advertisement of Omnibus Codification Ordinance Amendment:

MOTION: Upon motion by Mr. Bankos, seconded by Mr. Lichtenstein, the Board unanimously authorized advertisement of Omnibus Codification Ordinance Amendment.

8.3. Authorization to make corrections to Pension Plan per Auditor General's Audit Findings:

Mr. Hilferty expressed his displeasure with the manner in which the plan will be reimbursed.

MOTION: Upon motion by Mr. Given, seconded by Mr. Lichtenstein, the Board voted 3-2 to confirm the vote made in Executive Session on July 22, 2024, to authorize the Township Manager to correct the findings from the Auditor General's Pension Audit by correcting pension calculations and to reimburse the pension plan in the amount of \$23,033.38. Mr. Hilferty and Mr. Bankos were opposed.

9. New Business:

9.1. Request to have \$2,500 Sewage Maintenance Fee waived for new alternate system that was installed at 5372 Point Pleasant Pike:

Steve Boell, son of the property owner, stated that while he understood the requirement, he expressed his concern over the fact that neither the County nor the contractors made his mother aware of the fee prior to the installation of the system.

Mr. Given expressed his view that this requirement was not communicated clearly and as such should not be the responsibility of the property owner.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board voted 4-1 to deny the Fee Waiver Request for the new alternate system that was installed at 5372 Point Pleasant Pike. Mr. Given was opposed.

AMENDMENT: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board voted 4-1 to amend the motion to set up a payment plan at the discretion of the Township Manager. Mr. Given was opposed.

9.2. LPEAC Preservation Criteria: In attendance from the LPEAC were Chance Worthington, Kim Troup, Michael May.

Mr. Worthington suggested that the pond at Owl's Nest Park should be dedicated to Tom Lurz. The general consent from the Board was to discuss that matter at another meeting.

Mr. Worthington presented the Board with a Land Preservation Criteria packet that was created by the LPEAC. Mr. Worthington explained the point structure and how the committee would evaluate properties. Mr. Worthington, Ms. Troup and Mr. May answered the Board's various questions regarding the specifics of the scoring system and how this would be beneficial to future land preservation. Mr. McComb stated that he found a written narrative to be better than a numeric system. Mr. Given stated that a numeric system could be helpful and thanked the LPEAC for their work.

The Board reminded the LPEAC that they are to be an educational resource for property owners and should not be seeking out property owners or going on private property in search of land to preserve. Mr. McComb stated that the LPEAC was tasked with creating a list of outside funding resources that could be provided to property owners who are interested in preserving their land, and to date, this list has not been created. Mr. Bankos stated that the Township has increased their budget for preservation considerably over the last couple of years, but outside funding would still be necessary to preserve land. Mr. Hilferty reminded the committee that the LPEAC works as a volunteer committee, at the behest of the Board, and the LPEAC does not make official decisions regarding land preservation.

9.3. Point Pleasant Volunteer Fire Company Request to use 2024 budgeted funds for proposed capital Improvements: In attendance for the PPVFC were Scott Fleischer, Chief, and Beth Carroll, President.

Mr. Fleisher and Ms. Carroll answered the Board's various questions regarding how a capital project is defined and the specific list of capital improvements that the PPVFC was seeking funds for.

MOTION: Upon motion by Mr. Given, seconded by Mr. Lichtenstein, the Board unanimously authorized the distribution of the funds, not to exceed \$100,000 to the PPVFC for the use towards capital improvements & purchases.

9.4. Amendment to Pollution Reduction & TMDL Plan:

Mr. Fulmer explained that as part of the DEP's MS4 regulations, the Township adopted a TMDL Plan in 2019. Of the 9 required projects, 7 are completed. A property owner was not willing to allow work to be performed on the basin on their property. As a result, Wynn Associates found a Township-owned property where the work

can be performed. Wynn Associates consulted with the DEP and received approval of the new location for the remaining two projects. The Township must re-adopt the revised plan. This was advertised in the intelligencer for 30 days with no comment from public. Mr. Fulmer stated that the revised plan will cost the same, possibly less than the original plan.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved the revised Pollution Reduction & TMDL Plan dated June 7, 2024.

9.5. Resolution # 2024-16: Dedication of Tollgate Road bridge to David Wayne Comber:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously approved Resolution #2024-16 dedicating the bridge located on Tollgate Road between Ferry Road and Green Meadow Lane over Hickory Run to David Wayn Comber.

9.6. Resolution #2024-17: Establishing September 14, 2024, as Day of Honor for Leonard Frank Skoniecki Jr.:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously approved Resolution #2024-17 establishing September 14, 2024, as a Day of Honor for Leonard Frank Skoniecki Jr.

9.7. Resolution #2024-18: Adoption of Revised Emergency Operations Plan:

Ms. Mulholland stated that the revised EOP was created by the Township Fire Marshal, Jeff Gouldey. Mr. Gouldey gave an overview of the revised plan and answered the Board's questions about the revisions.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Given, the Board unanimously approved Resolution #2024-18 adopting the Township's Revised Emergency Management Plan.

9.8. Appointment of Emergency Management Coordinator & Deputy Emergency Management Coordinator:

Upon request from the Board, Mr. Gouldey gave a brief description of his resume and credentials.

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Bankos, the Board unanimously appointed Jeff Gouldey as the Township's Emergency Management Coordinator and appointed Scott Fleischer as the Township's Deputy Emergency Management Coordinator.

9.9. Authorization to Execute License Agreement with Boy Scouts of America allowing certain repairs to be made Camp Ockanickon Access Drive:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Lichtenstein, the Board unanimously authorized the execution of the License Agreement with the Boy Scouts of America allowing certain repairs to be made to the Camp Ockanickon Access Drive to High Rocks Park.

9.10. Authorization for Township Solicitor to draft a license agreement for the PPVFC and PPEMS to use the Camp Ockanickon Access Drive:

MOTION: Upon motion by Mr. McComb, seconded by Mr. Hilferty, the Board unanimously authorized the Township Solicitor to draft a license agreement between the Boy Scouts of America and the Point Pleasant Volunteer Fire Company.

AMENDMENT: Upon motion by Mr. McComb, seconded by Mr. Hilferty, the Board

unanimously amended the motion to include the Point Pleasant EMS into the license agreement.

9.11. Consideration of Settlement Agreement for Timberly Lane Water Main Break:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. Given, the Board unanimously authorized the execution of the Settlement Agreement with PECO for \$69,500.

9.12. ZHB Appeal – Gabay vs. Plumstead Township ZHB, Boo’s Brewery at 4961 River Road:

The Board chose not to intervene. No motion needed.

9.13. Authorization to Execute Sewage O&M Agreement – Palermo, Tollgate Road, TMP# 34-006-059-004:

Property owner, Greg Palermo, stated that they were never told over the last few years that this escrow.

MOTION: Upon motion by Mr. McComb, seconded by Mr. Bankos, the Board unanimously authorized the execution of the Sewage O&M Agreement for the Palermo Tract on Tollgate Road, TMP #34-006-059-004.

9.14. Resolution #2024-19: Authorizing the Township Manager or Chair of the Board of Supervisors to sign on-lot sewage O&M Agreements:

MOTION: Upon motion by Mr. Hilferty, seconded by Mr. McComb, the Board unanimously approved Resolution #2024-19 authorizing the Township Manager or Chair of the Board of Supervisors to sign on-lot sewage O&M Agreements.

10. Consent Agenda:

10.1. Bills List Dated July 23, 2024, in the amount of \$180,341.93, subject to Audit:

10.2. Bills List Dated August 6, 2024, in the amount of \$414,018.69, subject to Audit:

10.3. Minutes of Meeting of July 10, 2024:

10.4. Corporal Michael Johnson 15 years of Service:

10.5. Sellersville Borough Request for Fire Police for Sellersville Gallery of the Arts Sept. 15th:

CONSENSUS: Upon General Consensus, the Board unanimously approved the Consent Agenda.

11. Public Comment:

There was no public comment at this time.

12. Board of Supervisors Comments:

Mr. Lichtenstein welcomed Ms. Mulholland once again. He then explained that at their latest meeting, BCATO reviewed the bills that are currently being circulated in Harrisburg involving local municipalities’ rights when it comes to cemeteries owned by the municipality. Ms. Mulholland further explained what bills are still left to be voted on to help with this cause.

Mr. Bankos recognizes the Parks and Rec. committee for persevering through the weather with their concert in

the park series.

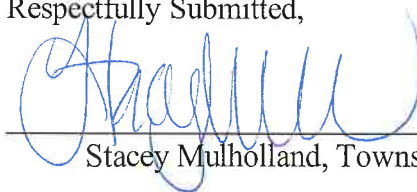
Mr. McComb thanked Mr. Hicks for his work during the manager transition period. The PSATS group for townships with more than 10,000 people will be meeting virtually on September 11th and have asked that if the Board has any concerns, let Mr. McComb know prior to the meeting. PML is looking for a legislative liaison and Mr. McComb volunteers. Mr. McComb wants to discuss the firearm discharge laws at the next meeting.

13. Adjournment: Upon motion by Mr. Lichtenstein, seconded by Mr. Given, the meeting was unanimously adjourned at 9:04p.m.

Respectfully Submitted,

Date Approved: _____

8/14/21



Stacey Mulholland, Township Manager