

PLYMOUTH TOWNSHIP

REGULAR MEETING

October 8, 2012

Plymouth Township Council held its Regular Meeting at the Plymouth Township Building. The following officials were in attendance:

Council: Sheldon Simpson ----- Chairman
Lenore Bruno ----- Vice-Chairman
Dean Eisenberger
Vince Gillen
Maria Weidinger

Staff: Karen Weiss ----- Manager
Tom Speers ----- Solicitor
Lonnie Manai ----- Woodrow Associates
Tim Creelman ----- Finance Director
Joe Lawrence ----- Chief of Police
Karen Franck ----- Parks & Recreation Dir.
Ken Amey ----- Planner

Pledge of Allegiance - The Regular Meeting was called to order by Mr. Simpson at 7:00 p.m. and opened with the Pledge of Allegiance.

Moment of Silence for Officer Bradley Fox - Chairman Simpson asked for a moment of silence on behalf of Officer Bradley Fox who was killed in the line of duty on September 13th.

Mr. Simpson thanked the community for their outpouring of kindness and generosity during the tragedy of Officer Fox's death. Officer Fox was a true American hero.

Ms. Bruno also thanked the community and merchants for their kindness.

Chief Lawrence thanked Council and Karen Weiss for their support during Officer Fox's death.

Mr. Simpson announced that there will be no discussion on the Chemical Road Hotel Settlement this evening.

Recognitions

1. **Gravers L.P. - Go Green Award** - Mr. Eisenberger read the resolution pertaining to the 2012 Go Green Award that was presented to Gravers L.P. located at 1850 North Gravers Road. The award is given to an individual or organization in Plymouth Township that shows a personal commitment to protecting the environment. Mr. Eisenberger made a motion to approve the resolution and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

2. **Ridge Park - Blue Ribbon School** - Ms. Bruno announced that Ridge Park Elementary School was named one of the 269 National Blue Ribbon Schools for 2012. Ridge Park is one of just 8 schools in PA and the only elementary school in Montgomery County to receive the award this year. Ms. Bruno read the resolution honoring Ridge Park for their level of achievement and for their outstanding dedication in making Plymouth Township a better place to live. Ms. Bruno made a motion to approve the resolution and was seconded by Mr. Eisenberger. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

3. **BMI Busters** - Ms. Weidinger read the recognition in honor of one of the Greater Plymouth Community Center's fitness programs for winning the PA Recreation & Parks Society 2012 Excellence in Programming Award in the health, fitness and wellness category. The program called BMI Busters helps children learn how to live healthy lives using cardiovascular, weight training, exercise and motivation sessions to lose weight and gain confidence. Ms. Weidinger made a motion to approve the recognition and was seconded by Mr. Gillen. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

Public Comment

Mr. Simpson asked if there was any public comment pertaining to any of the items advertised on the agenda and there was none.

ANNOUNCEMENT - Executive Session held October 1, 2012

Mr. Simpson announced that an Executive Session was held on October 1st in order to discuss litigation and personnel matters.

APPROVAL OF MINUTES: Chairman Simpson called for the approval of the minutes.

- b. Workshop Meeting
- c. Regular Meeting

September 4, 2012
September 10, 2012

Mr. Eisenberger made a motion to approve the minutes without the necessity of reading. The motion was seconded by Ms. Bruno; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

APPROVAL OF DEPARTMENTAL REPORTS AND BILLS: Chairman Simpson called for the approval of the departmental reports and bills.

Ms. Bruno made a motion to approve the departmental reports and bills. The motion was seconded by Ms. Weidinger; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

ADMINISTRATION

a. **2013 Budget Meetings - October 15th, October 22nd, November 19th - 7:00 p.m.** - Ms. Weiss announced the 2013 Budget Meeting schedule. The Budget Meetings will be held in Conference Room A.

b. Pension Funds

1) **State Aid** - Mr. Eisenberger reported that the Township receives an allocation from the State to help fund the Township Pension Plans. The allocation for 2013 is in the amount of \$568,601.45 The Township actuary has recommended that the funds be allocated as follows: 1) Police Pension Plan - \$307,545.44 and 2) Non-Uniformed Pension Plan - \$261,056.01. Mr. Eisenberger made a motion to accept the recommendation of the actuary and was seconded by Mr. Gillen. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Gillen, Mr. Eisenberger, Mr. Simpson and Ms. Weidinger in favor.

2) **Minimum Municipal Obligation** - Mr. Eisenberger reported that this item pertains to the amount that the Township must budget to contribute to the employee pension plans for 2013. The Township actuary has determined the following amounts: 1) Police Pension Fund - \$1,431,875 and 2) Non-Uniformed Employees - \$604,052 for a total of \$2,035,927. The State Aid estimate for 2013 is in the amount of \$501,400. Mr. Eisenberger made a motion to budget the above amounts and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Gillen, Mr. Eisenberger, Mr. Simpson, and Ms. Weidinger in favor.

c. **Police Pension Contribution Resolution** - Mr. Eisenberger reported that the Township Actuary has determined that the Plymouth

Township Police Officers must contribute 3% of their salaries to the Police Pension Fund for 2013, per their contract. Mr. Simpson read the resolution and made a motion for approval. The motion was seconded by Ms. Bruno; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

d. Tax Settlement Resolution - Mr. Speers stated that the Township has an audit procedure for collecting business privilege taxes owed by businesses to the Township. An audit was completed for Plymouth Square Associates Inc., which was appealed to Plymouth Township Council and a settlement has been reached. Mr. Speers read the resolution in conjunction with the settlement. Mr. Gillen made a motion to approve the resolution and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

POLICE/PUBLIC SAFETY

PUBLIC WORKS/SEWER

a. Trenchless Sewer Project Bid Award - Mr. Eisenberger stated that a bid opening was held pertaining to the Trenchless Sanitary Sewer Rehabilitation Project in the Curren Terrace section of the Township. Staff is recommending that the bid be awarded to Mr. Rehab in the amount of \$84,832.00. Mr. Eisenberger made a motion to approve the bid award and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

ENGINEERING

SUBDIVISION AND LAND DEVELOPMENT

a. L.D. 11-3 Plymouhtowne Apts/Fairfield & Sandy Hill Roads

1. **Extension granted to April 9, 2013 - ACTION** - Mr. Eisenberger stated that the Township is in receipt of correspondence granting the Township an extension until April 9, 2013 for Plymouhtowne Apartments. Mr. Eisenberger made a motion to accept the extension and was seconded by Mr. Gillen. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

b.L.D. 12-1 Brandywine Operating Partnership/134 Plymouth Road

1. **Expiration Date October 13, 2012 - ACTION** - Mr. Speers read the resolution granting conditional land development approval for Brandywine Operating Partnership under and subject to the conditions read. Ms. Bruno made a motion to approve the resolution and was seconded by Mr. Eisenberger. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

c. Escrow Release - ACTION

1. **Antioch Church** - Ms. Bruno made a motion to approve the escrow for Antioch Church in the amount of \$30,779.20 for items completed in accordance with said plans. The motion was seconded by Mr. Gillen; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

CODE ENFORCEMENT/HEALTH

ZONING

a. Zoning Hearings - Ms. Weidinger reported that the Zoning Hearing Board of Plymouth Township will hold a public hearing on Monday, October 15, 2012, commencing at 7:00 p.m., in the Plymouth Township Building on the following applications: 1) DJ SHELL, 2) EDNA L. KISH, 3) CONICELLI ALAN WOOD ROAD, L.P, 4) MICHAEL J. TIER, 5) CHRIS ZORO COMPANY, AND 6) JEAN A. COHEN-HARTE/A.K.A. JEAN A. HARTE. Any citizen of Plymouth Township or interested person may attend the public hearing and have an opportunity to be heard.

b. Opposition - Ms. Weidinger made a motion that the Township Solicitor attend the Zoning Hearing Board Meeting on behalf of Council in opposition to the Jean A. Cohen-Harte application. The motion was seconded by Mr. Gillen; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

c. Chemical Road Hotel Settlement - Mr. Simpson stated that this item will not be discussed this evening.

PARKS AND RECREATION

a. Records Disposition - Ms. Bruno stated that Council is in receipt of correspondence from Karen Franck, the Parks & Recreation Director who would like to dispose of approximately

243 boxes of records. Ms. Bruno made a motion to approve the disposition of records and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

Mr. Marty Weiss, 508 Beacon Hill Circle asked how the records will be disposed of. Ms. Weiss stated that that the records will be taken to the Trash to Steam Plan to be burned. The records will not be seen by the public.

b.Pass Rates - Ms. Bruno stated that Council is in receipt of correspondence from Karen Franck requesting an increase in the pass rates for the Community Center for 2013 in the amount of 3%. Ms. Bruno made a motion to approve the increase and was seconded by Ms. Weidinger. A roll call vote was taken and the motion passed 4-1 with Ms. Bruno, Mr. Eisenberger, Mr. Simpson and Ms. Weidinger in favor. Mr. Gillen was opposed.

c.Fitness Center Expansion Ribbon Cutting - November 10, 2012 - 10:00 a.m. - Ms. Weidinger announced that there will be a ribbon cutting ceremony for the fitness center on November 10, 2012 at 10:00 a.m. with various activities planned. This is a free event and all are welcome to attend.

PLANNING AND DEVELOPMENT

MISCELLANEOUS/OLD BUSINESS

Mr. Gillen made a motion to draft a letter to the PA Turnpike Commission on behalf of the Township regarding the Turnpike Expansion. The Turnpike Commission should be held accountable for the quality of life for surrounding residents while the work is being completed. There have been numerous complaints of work being done in the night time hours. The motion was seconded by Ms. Weidinger; a roll call vote was taken and the motion passed 5-0 with Ms. Bruno, Mr. Eisenberger, Mr. Gillen, Mr. Simpson and Ms. Weidinger in favor.

AUDIENCE PARTICIPATION

Jeff Branaugh, 127 Shasta Road thanked those who were present this evening regarding the Chemical Road Hotel.

Mr. Simpson stated that the Township is not taking any further position on the Chemical Road Hotel matter and that it is now

in the court system.

Christina Scanlon, 226 Kings Road asked when the court will hear the case for the Chemical Road Hotel. Mr. Speers stated that the case will be heard on October 15th.

C. Berman, 10 Garnet Circle thanked Council for their efforts in blocking the billboards on the Blue Route but that he believes that the Ardmore Tire sign is pushing the limit. Mr. Simpson stated that this is a sign and not a billboard and therefore has different regulations in the Township. Ms. Weiss will ask that Dave Conroy, the Township Zoning Officer look into this issue to be sure that the sign is in compliance.

Colleen Schaffer, 1435 Sandwood Road spoke about the beekeeping ordinance. She is passionate about beekeeping and believes that beekeeping should be permitted in the Township. She asked Council to consider the PA Department of Agriculture guidelines and/or ordinances from FL and LA.

Kevin Schaffer, 1435 Sandwood Road stated that he is opposed to the draft beekeeping ordinance.

Joe Flanagan, 303 Sherwood Lane and 115 Archbishop Drive stated that while he is not a beekeeper he is convinced that the science of beekeeping is good. He believes that the Township should make the ordinance as the least restrictive as possible.

A resident of New Hope Street mentioned that her daughter is a beekeeper and she believes there should be no restrictions on beekeeping in Plymouth Township.

Sasha Eisenman, 2746 Narcissa Road believes that no ordinance is necessary.

Tracy Palumbo, 416 Hallman Avenue is pleased that there will be a beekeeping ordinance in the Township since she is allergic to bees.

Joe Lepore, 1433 Sandwood Road said he had 120,000 bees in his yard and this is a safety issue. Mr. Lepore is not opposed to beekeeping but he thinks there is a proper area for them in the Township.

Joe Mellon, 2923 Jolly Road stated that he is a taxpayer who has rights. He feels that the beekeeping ordinance should follow the EAB recommendations.

Maury Flora, 605 Launfall Road mentioned that she believes that bees are important to the environment and she hopes that Council has enough information on beekeeping to make an informative decision concerning the ordinance.

Mr. Simpson stated that Council is not opposed to beekeeping in the Township but they are attempting to come up with a reasonable solution for both those who are in favor of and those who are opposed to beekeeping.

Mr. Simpson thanked those who came this evening regarding the Chemical Road Hotel. This is a tough situation and Council is trying to make the right decision for everyone concerned.

ADJOURNMENT

There being no further business, the Regular Meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Mary Beth Jamison

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Recording Secretary