

PLYMOUTH TOWNSHIP

REGULAR MEETING

August 12, 2019

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

Council: Marty Higgins ----- Chairman
Chris Manero ----- Vice-Chairman
Karen Bramblett
Lenore Bruno
David Gannon

Staff: Karen Weiss ----- Manager
Michael Clarke ----- Solicitor
John Myrsiades ----- Chief of Police
Lonnie Manai ----- Woodrow & Associates

6:30 p.m. - Verizon Cable Franchise Renewal Hearing

Pledge of Allegiance - The Regular Meeting was called to order at 7:00 p.m. and Mr. Higgins led the Pledge of Allegiance.

1) **Eagle Scout Stanley Matusheski-** Ms. Bramblett read the Certificate of Recognition for Stanley Matusheski. He joined cub pack 216 in the beginning of 2009. For his Eagle Scout project, he planned and executed the cleaning and sealing of the boiler room in St. Mary's Church in Conshohocken. Stanley earned 31 merit badges and served twice as the Order of the Arrow chapter Chief. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

2) **Chief for a Day Resolution- Noah Devaney- ACTION-** Ms. Bruno read the resolution for Noah Devaney, age 12, who won a contest at Plymouth Township Day to be "Chief for a day". Now, therefore be it resolved that Noah Devaney is hereby commended for his diligent and valuable service. Ms. Bruno made a motion to approve this resolution and was seconded by Mr. Gannon.

Chief Myrsiades spoke about Noah Devaney and the tasks he completed throughout the day. Plymouth Police Department commended Noah and is very thankful for his service.

A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

3) **20 Years of Service Resolution- Edward Bauso- ACTION-** - Mr. Manero read the resolution recognizing Edward Bauso for his generous and outstanding service and contributions rendered while serving in the Parks and Recreation Department beginning on August 9, 1999, thereby completing 20 years of service. Council extends its appreciation to Edward Bauso who served with commitment and dedication. Plymouth Township Council desires to recognize the diligent and valuable services rendered by Edward Bauso. Mr. Manero 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. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

4) **Officer of the Year Resolution- Michael Watts- ACTION-** Mr. Gannon read the resolution whereas, Officer Michael Watts has performed diligently and faithfully the duties and services required of him by the Township of Plymouth, and whereas, the performance of Officer Michael Watts was in the highest standard of the Law Enforcement profession, and whereas, a vote has been taken by the police department supervisory staff to recognize Officer Michael Watts' outstanding contributions. Now, therefore be it resolved that Officer Michael Watts is hereby commended for his diligent and valuable service. Mr. Gannon made a motion to approve the resolution and was seconded by Mr. Manero.

Chief Myrsiades read a list of Officer Watts' accomplishments.

A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

5) **Recognition for Medics and Officers-** Ms. Bruno read the recognition for the Medics and Officers regarding Detective Andy Moretti's sudden dead cardiac event. Officers on the scene administered life saving measures as a team. Lt. Karen Mabry, Sgt. Chris Schwartz, Officers Jeffery Conrad, David Phillips, Mark Ransom, and Michael Watts, as well as medical personnel from Plymouth Ambulance Tom Trojansky, Michelle Fleming, Gerald Clemson, Kristen Kovacs, and Kelly Palya are hereby publicly commended. Ms. Bruno made a motion to approve this recognition and was seconded by Ms. Bramblett. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

PUBLIC COMMENT

ANNOUNCEMENT- Executive Session held August 5, 2019

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

a. Workshop Meeting ----- July 1, 2019

b. Regular Meeting ----- July 9, 2019

Mr. Manero made a motion to approve the minutes. The motion was seconded by Ms. Bruno and passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins, and Mr. Manero in favor.

APPROVAL OF DEPARTMENTAL REPORTS AND BILLS: Chairman Higgins 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 Mr. Gannon and passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins, and Mr. Manero in favor.

ADMINISTRATION

a) Budget Meeting Dates Announcement- Mr. Manero announced the Budget Meeting dates as follows: October 21st at 6:00 p.m., October 28th at 6:00 p.m., and November 18th at 6:00 p.m. The October Council meeting dates are the 7th and 14th. The November Council meeting dates are the 6th and 11th due to General Election day on Tuesday, November 5th.

b) McKeown Farm Conservation Easement- Mr. Manero announced that last week Council approved making a 14.36% contribution toward the conservation easement on Maple Acres Farm. He said the 26.2 acre farm will be preserved for agricultural use in perpetuity. Mr. Higgins stated saving this farm is a huge win for all the residents of Plymouth Township. Ms. Bramblett added this is the last working farm in Plymouth Township, which is prime land for development. However, preserving this land will be a wonderful thing. Gary Mckeown told Mr. Higgins that he promised his father he would save the farm.

c) Covanta- Environmental Experts- Mr. Manero stated with the recent odors and malfunctions at the Covanta plant, it is a good time to hire environmental experts to provide independent oversight. The Township needs guidance on whether to renew the contract, and to see if Covanta is operating as they say they do within the law. Mr. Manero made a motion to approve the law firm Curtin & Heefner LLP. This motion was seconded by Mr. Gannon. Mr. Higgins said the importance of looking at the whole operation of Covanta by an independent body, will go a long way to help Council.

Ms. Kathy Bandish- 206 Kings Road- thanked Council for being proactive, and taking these concerns seriously.

Mr. Benjamin Gibbons- 3018 Sheffield Drive- asked if Covanta has to comply with the law firm before the Township spends the money in hiring Curtin & Heefner LLP.

Mr. Manero stated Covanta reports to DEP and then DEP makes available the records to the public.

Mr. Manero stated it is not necessarily just our law firm that they would be complying with, but DEP as well. Mr. Higgins stated they have been open and honest with Plymouth Township so far. Mr. Gannon stated he has asked that question before, and that answer was yes. Ms. Bramblett stated Covanta has been very open so far, regarding looking at the plant and seeing the operations from day to day. Mr. Gibbons also asked if it would be a good idea to compare Covanta Plymouth to their Chester County facility, since Chester County's facility is much larger. Mr. Gibbons also asked if Covanta has done away with the tax. Ms. Weiss stated Covanta still pays a solid waste tax.

Sarah Sterious- 1421 Sandwood Road- thanked Council for hiring an independent expert. Ms. Sterious said her research indicates that Plymouth is paying much more than other surrounding municipalities to take our trash to Covanta.

Shelly Simpson- 722 Clover Lane- stated he knows these specialty law firms are costly, and asked if any thought been given to asking the County to help pay these consultant fees.

A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

d) Tax Settlement- J.D. Eckman- Mr. Clarke stated this is a settlement for a business privilege tax appeal. J.D. Eckman has asked for consideration in waiving their penalties and one- half of the interest. Ms. Bruno made a motion to approve this settlement and was seconded by Ms. Bramblett. Mr. Manero stated earlier in the year they hired E-Collect to find companies that did not pay their business privilege taxes, so they are off to a good start. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

e) Tax Settlement- Kempf Building Material Company- Mr. Clarke stated this is a settlement for a business privilege tax appeal. After some hearings, it is our recommendation to settle this matter for \$10,000. Mr. Manero made a motion to approve this settlement and was seconded by Mr. Gannon. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

POLICE/PUBLIC SAFETY

PUBLIC/WORKS/SEWER

ENGINEERING

SUBDIVISION AND LAND DEVELOPMENT

a.L.D. 17-2 Conicelli Auto Group/906 Ridge Pike

1) Extension granted to December 20, 2019- **ACTION-** Mr. Higgins stated we received a letter from Mr. Domenic Conicelli asking for a four month extension. Mr. Higgins made a motion to approve the extension and was seconded by Mr. Gannon. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

b.L.D. 18-3 Paone Assoc. /2418 Butler Pike

1) Time Limit Waived

c.S.D. 18-1 Paone Assoc. /2424 Butler Pike

1) Time Limit Waived

d.L.D. 18-4 SMG Hotels/201 Plymouth Road

1) Extension granted to December 31, 2019- **ACTION-** Mr. Higgins stated we received a letter from Mr. Craig Robert Lewis asking for an extension until December 31st. Mr. Higgins made a motion to approve the extension and was seconded by Ms. Bruno. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

e.S.D. 19-2 3116 Jolly Road

1) Expiration date December 1, 2019

f. L.D. 19-1 PR Plymouth Meeting Limited Partnership/500 W. Gtn. Pike

1) Extension granted to November 10, 2019- **ACTION-** Mr. Higgins stated we received a letter from Mike Mattioni asking for an extension until November 10th. Mr. Manero made a motion to approve the extension and was seconded by Ms. Bramblett. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

g.L.D. 19-2 Jon Williams/100 Lee Drive

1) Expiration date October 10, 2019

h.Extension Requests- ACTION-

1) **Bimbo Ridge Pike until November 30, 2019-** Mr. Gannon stated we have a letter from Mr. Craig Lewis requesting an extension until November 30th. Mr. Gannon made a motion to approve this extension and was seconded by Ms. Bramblett. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

2) **Verizon PHI Belvoir Road until September 12, 2019-** Mr. Gannon stated we have a letter from Mr. Nicolas Cuce requesting an extension until September 12th. Mr. Gannon made a motion to approve this extension and was seconded by Mr. Manero. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

3) **356 Fairfield Road until December 5, 2019-** Mr. Gannon stated this communication is from Mr. Dean Eisenberg requesting an extension until December 5th. Mr. Gannon made a motion to approve this extension and was seconded by Ms. Bramblett. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

i. Escrow Release Requests- ACTION

1) **Plymouthtowne Apartments-** Mr. Gannon stated this communication is from Mr. Lonnie Manai with Woodrow & Associates, stating sufficient work has been completed to release \$208,123.23. Mr. Gannon made a motion to approve and was seconded by Mr. Manero. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

2) **Arbour Square-** Mr. Higgins stated this communication is from Mr. Lonnie Manai with Woodrow & Associates, stating sufficient work has been completed to release \$70,160. Mr. Higgins made a motion to approve and was seconded by Mr. Gannon. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

j. Colonial Middle School Waiver- Ms. Bramblett said we have a letter from Ms. Kimberly Flanders, stating the school District is requesting a waiver to place plantings and fencing in a storm easement along the rim of the detention basin as part of the screening of the proposed bus access drive. The second waiver is to permit plantings in the right-of-way along Maplewood Drive. Ms. Bramblett made a motion to approve these waivers, subject to a written agreement between the Township and the District for the maintenance of the storm facilities, and was seconded by Ms. Bruno.

Mr. Benjamin Gibbon- 3018 Sheffield Drive- asked if the District is asking for a waiver for plantings to be put on an adjoining property. Ms. Bramblett stated the plantings and privacy fencing is to be put on the Peng property to screen the bus access. Mr. Higgins stated the Pengs requested a buffer. Mr. Gibbon also asked if there was a way to place the trees on Township property. Ms. Weiss stated no, since the road will be on Township property. Mr. Gibbon stated he feels that there's so much land that we shouldn't have to be encroaching on a resident's property. Mr. Higgins stated the School District has been working closely with the Pengs and there has been a lot of back and forth negotiations to come up with this compromise. Ms. Weiss stated much of the roadway is on the Township property, no roadway is on the Peng's property.

A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins and Mr. Manero in favor.

CODE ENFORCEMENT

a) Records Disposition Resolution- ACTION- Ms. Bruno stated that records disposition is done periodically. These plans for Code Enforcement and Land Development have been digitized. Ms. Bruno made a motion to approve and was seconded by Mr. Manero. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins, and Mr. Manero in favor.

b) Contractors Registration Ordinance- First and Final Consideration- ACTION- Mr. Clarke read the amendatory ordinance regarding the contractors registration.

Mr. Clarke stated this amendment adds subsection D, which states if a contractor is already registered with the State, he does not need to register or pay an annual fee with the Township. Mr. Manero made a motion to approve and was seconded by Mr. Gannon.

Ms. Bruno stated that she opposes this resolution due to the fact that she feels it's a way for entities to find out who's working in Plymouth Township.

Mr. Benjamin Gibbons- 3018 Sheffield- asked if the ordinance exceeds the State law, in that work less than \$5,000 is exempted by the State. Mr. Clarke stated no it does not, it refers to construction work, not landscaping. Mr. Gibbons asked if there is a list to see who's registered and who's not. Mr. Clarke stated that would be a Right to Know Request. Mr. Gibbons asked will it be enforced. Mr. Clarke stated it will be enforced. Township employees know what needs to be done, but however, some people do get away with it. Also, Mr. Gibbons asked if there has been research done to see what other municipalities have been doing. Mr. Gannon stated there are 10 municipalities surrounding Plymouth that have already placed this in effect.

A roll call vote was taken and the motion passed 4-1 with Ms. Bramblett, Mr. Gannon, Mr. Higgins, and Mr. Manero in favor. Ms. Bruno was opposed.

ZONING

a) Zoning Hearings- Ms. Bruno stated the Zoning Hearing Board of Plymouth Township will hold a public hearing on Monday, August 19th, 2019 commencing at 7:00 p.m. at the Plymouth Township Building, 700 Belvoir Road, on the following application: Enterprise Leasing Company of Philadelphia, LLC (Joseph A. Mirabile) - 1101 E. Ridge Pike.

PARKS AND RECREATION

a) Movies and Concerts Announcement- Ms. Bramblett read the list of remaining concerts: Wednesday, August 14th the Quake 7:00 p.m. to 9:00 p.m. and Wednesday, August 20th Shot of Southern 7:00 p.m. to 9:00 p.m.

b) Parks Comp Plan Meeting September 30th- 6:00 p.m.- Mr. Manero stated there will be a meeting for Council to review the Park & Rec Open Space Plan on September 30th at 6:00 p.m.

c) **GPCC Roof Replacement Bid Award- ACTION-** Ms. Bramblett stated the GPCC roof replacement project low bidder is Pro Com Roofing in the amount of \$1.849 million. Mr. Carbo recommended awarding the project as one instead of two projects due to cost savings. Ms. Bramblett made a motion to award this bid and was seconded by Mr. Manero.

A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins, and Mr. Manero in favor.

PLANNING AND DEVELOPMENT

MISCELLANEOUS/OLD BUSINESS

a) **EAB Appointment- ACTION-** Mr. Manero stated there is an opening for the Environmental Advisory Board and would like to make a motion to appoint Mr. Andrew Katronic to fill that position and was seconded by Ms. Bramblett. A roll call vote was taken and the motion passed 5-0 with Ms. Bramblett, Ms. Bruno, Mr. Gannon, Mr. Higgins, and Mr. Manero in favor.

AUDIENCE PARTICIPATION

Ms. Carol Betham- 519 Old Elm Street- Ms. Betham stated the Township has been cutting the grass for 39 years now in her cul-de-sac. Ms. Bethan stated this is the first year that the Township has not cut the grass there. She would like to know if someone can come cut the branches that are in the way of the sidewalk. Ms. Weiss asked if the branches are in front of a residence, if so it would be their responsibility. Ms. Betham stated no. Mr. Higgins said we will get someone out there to cut the branches. Also, Ms. Betham asked if people knocking on her door advertising electric and gas are allowed to do that. Ms. Weiss stated yes, but you can register with the Police Department to be placed on the list of no soliciting.

Mr. John Heyer- 14 Allandale Road- Mr. Heyer stated he was here for the development off of Walton Road. Ms. Weiss stated she told the developer that Council has no interest in the project. Mr. Higgins stated the developer was here last month to present and Council saw no need to change the zoning in that location. Also, Mr. Heyer asked if there were any plans or considerations to connect the sidewalks on Allandale and Walton Road to have access to the Community Center. Ms. Weiss stated there are no plans currently, however we can talk about it.

Ms. Vivian Lotz- 7 Timberfare Circle- Ms. Lotz asked if there is an ordinance for not allowing someone to park their car for months on their property, at 1 Princeton Road. Ms. Weiss stated earlier this month the property owners were in court and the judge gave them a time frame to clean up their property. Ms. Weiss also stated this property is up for Sheriff's sale.

ADJOURNMENT

There being no further business, the Regular Meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Annalisa Primus

Annalisa Primus
Recording Secretary