

Board of Supervisors

MINUTES

October 26, 2010

Jim Brownlow, Chairman, called the meeting to order at 7:30 p.m. and opened with the Pledge of Allegiance. An executive session was held prior to the meeting to discuss real estate acquisition and personnel issues.

Supervisors Present: Karen Bedics, Jim Brownlow, Barbara Lindtner, and Rob Zisko **Absent:** Volker Oakey
Also present: Sandy Everitt, Secretary/Treasurer; Mark Laudenslager, Police Chief; Scott MacNair, Township Co-Solicitor; Bob Wynn, Township Engineer and Rich Schilling, Township Manager.

Approval of Minutes

Rob Zisko **moved** to adopt the minutes of the October 12, 2010, meeting as presented. Barbara Lindtner **seconded**.
Voting **Yes:** Karen Bedics, Barbara Lindtner, Rob Zisko **Abstaining:** Jim Brownlow

Bills for Approval

Karen Bedics **moved** to approve the following bills paid from October 13 – October 26, 2010.

1. General Fund	\$135,553.90
2. Liquid Fuels	\$ 560.54
3. Special Fees (Hwy Capital)	\$ 99.99
4. Subdivision & Escrow	\$ 18,158.63

Rob Zisko noted that the General Fund payment included a payment of \$92,000 into the pension plan, of which \$48,522.63 was State aid with the balance of \$43,695.37 coming from the General Fund. Jim noted that the annual lease payment of \$28,354.61 for the Springtown fire truck was paid from the General fund, with seven annual payments remaining. Jim called for the question. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Reports

Road Department (posted) – accepted as presented.

Police Report - (report posted on police website) Chief Laudenslager presented information on DUI Enforcement options. It was the consensus of the Board that the Department should participate in Roving Patrols and utilize grant funds that will become available in November. In September, the department handled 136 calls, 19 of which were criminal offenses. The state police handled an additional 25 calls. \$3,230 worth of property was stolen with \$1,900 recovered. Chief Laudenslager will update the Board on December 14 on the Neighborhood Watch Program. Springfield's entire Police Department participated with other local departments and the District Attorney's office in the investigation and the resultant closing on October 22 of several spas within the Township engaged in illegal activities.

Township Manager/Zoning Report – Rich Schilling and township legal and engineering consultants met with DEP on October 1 to discuss DEP's questions on the draft Act 537 plan. Lombardo Associates have since clarified the issues and submitted the requested information to DEP on October 25. DEP has 30 days to review the resubmitted materials. Although DEP may have additional questions, the list should be smaller. The finalized Parks & Recreation Plan contract was returned to Ann Toole. Ms. Toole and Rich Schilling will meet on November 3 to begin the process, which should conclude by June 2011. The CDBG Grant work on the handicap-accessible bathroom and building doors is completed. The request for funding will go to Bucks County this week. Springfield Township was not selected for the COPS Grant.

Under zoning activity, 3 use and occupancy inspections were completed and 23 permits processed in September. The new owners of a foreclosed home at 2310 Chestnut Road submitted a letter requesting relief from and a refund of tripled fees they had to pay as a result of the resale U & O inspection that revealed violations/repairs that were not completed by the bank or the previous owners. Rich Schilling recommended that the entire inspection fee and fines be waived. Karen Bedics **moved** to waive the inspection fee and fines for the new owners of 2310 Chestnut Road,

Coopersburg, conditioned upon their removal of both the fishpond and the hot tub within 60-days from the date they move in. Rob Zisko **seconded**; the motion **passed** unanimously.

Public Comments on Agenda Items – None

Presentation of Certificates for Community Service

Karen Bedics presented certificates of appreciation and \$50 in Alcamo Pizza Shop gift certificates to the teens of the Youth Progress Group for their service to the Township in monitoring the bluebird trail, participating in the Cooks Creek Roadside Cleanup, and helping with Tire Recycling and Community Day.

Governmental Matters

The Board reviewed a letter from Allen Biehler, Secretary of PennDOT, written in response to another municipality's questions about PennDOT's Highway Occupancy Permit (HOP) drainage policy as well as the latest *PSATS Township Legal Defense Partnership* listing the current status of legal cases in which PSATS is an active participant. Jim Brownlow suggested that these documents relating to important issues be placed on the Township's website.

Planning Matters

1. Baker Subdivision – This 11-lot subdivision (TMPs 42-12-48 & 48-3) is within the AD Zoning District off Route 412. The Planning Commission and SAIC recommended approval of the revised final plan. Scott Mease, Mease Engineering, noted that the Wildlands Conservancy is handling the conservation area. The Township's solicitor and the Board will review the *Declaration of Easements, Covenants, Conditions and Restrictions* being produced by Wildlands Conservancy. Karen Bedics **moved** to grant final approval of the Baker Subdivision conditional upon satisfactory completion of the outstanding items in the September 1, 2010, engineer's review letter. Rob Zisko **seconded**; the motion **passed** unanimously.

2. Povenski Lot-Line Adjustment – This property (TMPs 42-8-15, 15-1 & 15-2) located on Povenski Road is in the RP Zoning District. The plan presented eliminates the previous encroachment by the conservation easement on one of the properties on the neighboring family-owned properties by adjusting the lot lines of the two affected lots. Barbara Lindtner **moved** to grant preliminary/final approval of the Povenski Lot-Line adjustment conditional upon completion of the outstanding items contained within the September 2, 2010, engineer's review letter. Karen Bedics **seconded**; the motion **passed** unanimously.

3. Herman Subdivision – This 4-lot subdivision (TMP 42-9-172-4) fronts on Hottle Road and is located within the AD Zoning District. Lots vary in size from 2.6 acres to 23.1 acres (which is the farm lot). The farm lot contains a one-acre building envelope, but agricultural buildings can be placed outside of the building envelope. Paul Detweiler, Urwiler & Walter, presented for the applicant, James Herman, who was also present. The driveway location approved by the Planning Commission is located on Lots 2 & 3. The applicant requested permission to move the driveway off Lot 2 and place it completely on Lot 3. After discussion and with Bob Wynn's approval, the Board granted permission to move the shared driveway off Lot 2 and place it completely on Lot 3. The applicant's engineer will revise the final plan to reflect this change. Rob Zisko **moved** to grant final approval conditional upon completion of the items within the September 17, 2010, engineer's review letter, with the approved change relocating the shared driveway along the boundary of Lot 2. Barbara Lindtner **seconded**; the motion **passed** unanimously.

4. Dushant Sharma Land Development – This plan proposing a service station and convenience store on TMP 42-12-72 located on Route 212 within the VC Zoning District requires action by the Board by November 10, 2010. After discussion, Barbara Lindtner **moved** to deny the Dushant Sharma Land Development unless a plan is received by November 9, 2010, that is revised in accordance with the July 16, 2007, engineer's review letter. Karen Bedics **seconded**; the motion **passed** unanimously.

Old Business

1. Fuel & Heating Oil Bids – The bid was advertised in The Intelligencers on two dates for a bid opening on October 25. Bid copies were also mailed to three companies (including our current provider). No bids were received. As the township complied with all requirements of the Second Class Township Code, we can now negotiate with any fuel provider to obtain the best price.

2. Mezzaroba Conditional Use Application – Scott MacNair presented the *Findings of Fact, Conclusions and Decision* based upon the October 12, 2010, Board decision on Albert Mezzaroba’s Conditional Use application. Barbara Lindtner **moved** to approve the *Findings of Fact, Conclusions and Decision* regarding the Conditional Use application of Albert Mezzaroba for the property located at 2305 Township Roads, TMP 42-12-97. Karen Bedics **seconded**. Voting **Yes**: Karen Bedics, Barbara Lindtner and Rob Zisko. **Abstaining**: Jim Brownlow (not present for the Hearing). The motion **passed**.

3. Sale of Road Department Equipment – The equipment was posted on Municibid. A satisfactory offer of \$2,500 was received for the 1986 International Truck. There are currently no bids of the other equipment items. If no bids are received, Rich Schilling requested permission to sell the 1983 truck for a minimum of \$6,000, the salt box and the chipper for a minimum of \$1,500. Rob Zisko **moved** to authorize the sale of the 1986 International truck for \$2,500, the 1983 International truck for a minimum of \$6,000, and the salt box and the chipper for a minimum price each of \$1,500. Karen Bedics **seconded**; the motion **passed** unanimously.

4. Open Space Request – (Dropped from agenda)

5. 2011 Budget – Will be moved to follow Item 2 under New Business.

(Bob Wynn was excused at 8:35 p.m.)

New Business

1. Proposed Ordinance for Licensing of Massage Parlors – This ordinance would require the licensing of massage establishments and the permitting of employees who work at these establishments. The license for the massage establishments would be \$100 annually. The permit for employees would be a one-time fee of \$75. The ordinance exempts doctors, nurses, surgeons, physical therapists, etc.—licensed professionals who perform massages as part of their practice. Barbers and beauticians are also exempted for massages performed solely on the neck, face, scalp and hair areas. Various information is required from prospective employees to permit background checks. The ordinance sets hours of operation at 8 a.m. until 10 p.m. Upon adoption, existing massage parlors must comply to the ordinance requirements within 60 days of the effective date.

The Board suggested several changes to the draft ordinance. Barbara Lindtner **moved** to approve advertisement of the proposed ordinance for licensing of massage parlors and permitting of their employees, with Scott MacNair authorized to include the changes discussed at this meeting. Rob Zisko **seconded**; the motion **passed** unanimously. The ordinance can be reviewed at the Township Building, on the Township website, or at The Intelligencer. It will be on the November 9 Board agenda for possible adoption.

(Scott MacNair was excused at 9 p.m.)

Old Business (continued)

5. 2011 Budget – A balanced 2011 draft budget was provided to the Board last week. Barbara Lindtner suggested that the EIT revenue figure be decreased to \$630,000, based upon this year’s projected shortfall. No additional revenue cuts were made. The Board discussed Rich Pursell’s request to add a full-time road department employee rather than a 20-hour a week part-time employee as now projected in the budget. Because of economic constraints, it was decided not to include an additional full-time road department worker at this time. The Board also discussed including the monthly payment of \$1,200 (\$14,400 annually) for the UBREMS ambulance for the year 2011. After discussion, it was the consensus of the Board to keep this in the 2011 budget, as UBREMS provides a vital service for a major portion of Springfield Township. Jim Brownlow noted that UBREMS funding all comes from donations. The township will not assume loan payments; rather, an amount equivalent to the loan payment will be paid to UBREMS quarterly.

Karen Bedics reported on cardboard recycling options for the Township. It was the consensus of the Board not to include cardboard recycling in the 2011 budget, as it would likely not be a “break even” budget item.

The Board discussed the alternatives available to cover the \$45,000 anticipated revenue deficit:

1. ½ mill tax increase (\$40,610)
2. Anticipate more than the currently budgeted \$60,000 from DEP for the completed Act 537 plan

3. Use funds from the \$219,000 Township Reserve Fund

The Board will approve a ½ mill undesignated tax increase to cover most of the \$45,000 deficit. Rob Zisko feels that if DEP reimburses the full amount of \$120,000 in 2011 for completion of the Act 537 plan, it could be used to fund some of the requested items that have not been included in the budget, or it can be placed back into the Township's reserve fund. The Board will hold approval of advertising of the revised budget for early in the agenda of the November 9 meeting so that the discussion of raising real estate tax a half-mill is held with newspaper reporters and residents present. Jim Brownlow pointed out that a ½ mill tax increase would represent an average increase per household of \$17. Information will be presented at the November 9 meeting regarding the reason for the tax increase and how it will affect residents.

New Business

Police Collective Bargaining Agreement – The proposed Agreement includes a 2% annual increase for officers for 2011 and 2012, since they have not had increases for the past two years. Tasers are included as required police equipment. In addition, the police have agreed to give the Township the unilateral right to eliminate the DROP Pension at any time without the need to bargain with the union. Chief Laudenslager requested to speak to the Board regarding the DROP Pension. It was agreed this discussion could take place during the annual review of the Chief sometime in November. Barbara Lindtner **moved** to approve the Police Contract for the period of January 1, 2011 and ending December 31, 2012, with the changes discussed as noted in Rich Schilling's October 22, 2010, memo. Karen Bedics **seconded**; the motion **passed** unanimously.

3. Resignation of Supervisor Jim Brownlow – Jim Brownlow has sold his home and will be relocating to Susquehanna County upon his and his wife's retirements from Doylestown Hospital, where they have a combined 72 years of service. Settlement for the sale will take place on December 22, after which he will no longer be a resident of Springfield Township. Jim will write a resignation letter giving December 15, 2010, as his last day as supervisor. The Board has 30 days from December 15 to appoint a replacement. A tie would be broken by the Vacancy Board. Jim expressed his pleasure at the opportunity to work with the other supervisors and for the township's residents and staff during the time he has served in various capacities, both on the Planning Commission and on the Board of Supervisors. Barbara Lindtner **moved** to accept with regret Jim Brownlow's resignation and authorize the Township Manager to advertise for interested candidates to fill the vacancy as interim supervisor. Rob Zisko **seconded**. Voting **Yes**: Karen Bedics, Barbara Lindtner, Rob Zisko. **Abstaining**: Jim Brownlow. The motion **passed**.

Public Comments - none

Supervisors Comments

Barbara Lindtner suggested that a volunteer compile police criminal activity data with various categories (similar to permits issued). She felt this would help identify if additional police or services are needed. If a qualified volunteer becomes available, Rich Schilling will follow up on this suggestion. Barbara thanked Jim Brownlow for the years he has served the Township—approximately 4 years on the Planning Commission and 7 years as a supervisor—and for being instrumental in her leadership growth while serving with him both on the Planning Commission and as a supervisor.

Adjournment

At 10:00 p.m., Rob Zisko **moved** to adjourn the meeting. Karen Bedics **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Township Secretary

Next meeting: November 9, 2010 – 7:30 p.m.

Approved: November 9, 2010