

Board of Supervisors Meeting

MINUTES

November 27, 2007

The meeting was called to order at 7:50 p.m. by Chairman Jim Brownlow and opened with the Pledge of Allegiance.

Jim Brownlow apologized to the residents for the late start and informed them that an executive session was held on multiple legal issues. Candidates were also interviewed as potential Act 537 consultants.

All Supervisors Present: Karen Bedics, Jim Brownlow, Chuck Halderman, Rod Wieder and Rob Zisko.

Also present: Scott MacNair, Co-Solicitor; Bob Wynn, Township Engineer; Sandy Everitt, Secretary/Treasurer; and Rich Schilling, Township Manager.

Minutes

Rob Zisko **moved** to accept the minutes of the November 13, 2007, meeting as distributed. Karen Bedics **seconded**; the motion **passed** unanimously.

Approval of Bills

Jim Brownlow **moved** to accept the bills (\$49,388.43) for payment as listed on the November 10 – 21, 2007, bills list (appended to these minutes). After clarification that the large payment to the Zoning Hearing Board solicitor I covered a period from August 2006 through to the present, Rod Wieder **seconded**; the motion **passed** unanimously.

Public Comments on Agenda Items

Bruce Whitesell, Route 212 – Pleasant Valley, commented on the agenda item pertaining to a switch from elected auditors to a CPA. He distributed the results of the recent municipal election where Judy Franlin was elected, receiving a very high number of votes. Bruce feels the residents have expressed their desire to have the auditor's position filled, and he feels that we should retain the elected auditors. Rich Schilling explained that the elected auditors would remain even if a switch was made to a CPA audit. Rich noted that we are mandated under the 2nd Class Township Code to bond the treasurer for the highest amount of money available at any one time. This amount currently is well over one-million dollars. The township cannot obtain that large a bond for the treasurer unless the books are audited by a CPA. The elected auditors will set the salary of any supervisor who is also employed by the township and can review the audit of the CPA if they so desire. Rich indicated that an email was received from the current elected auditors stating they fully support the switch to a CPA.

Planning Matters

1. Viola-Trenga (a.k.a. Zaveta and/or Rendelovic) Lehnberg Road – Waiver Request of Land

Development - William Kozub, Attorney, presented for the applicants, Frank Trenga and Denise Viola. The builder, Richard Zaveta, was also present and involved in the presentation. The applicants wish to construct two dwellings on a 17+ acre property, with the intent to merge the two separate tax parcels into one lot. Mr. Kozub presented a sketch and several colored photographs of what is proposed for the property. Lot 1 is a separate, land-locked parcel. Lot 2 is served by an existing driveway off Lehnberg Road. The two dwelling proposed are identified as #1 and #3 on the sketch. #2 identifies an existing small shed. The Planning Commission requested that a building envelope be identified for the proposed homes. A 4.8 acre building envelope was selected, with an attempt to minimize any disruption of natural resource areas. Lot 2 has an existing approved, permitted, septic system that can service one of the dwellings. A second septic system is planned for the other dwelling.

Mr. Zaveta described the site topography and outlined some of the improvements planned. The applicant has agreed to deed-restrict the property from further subdivision and has agreed to prepare a unilateral declaration of covenants and restrictions to require anyone purchasing the property in the future to purchase both dwellings—neither dwelling could be sold separately, nor could there be a condominium ever imposed so as to create separate units. The primary user’s brother intends to occupy the smaller “guest house” and be the watchman/caretaker as the owners of the larger home travel, etc. It was agreed that the small cottage would never be an open rental.

Chuck would prefer to see the building envelope for the home and the cottage to each be the required 3-acre minimum for the Resource Protection (RP) district in order to prevent any future legal or building problems. Scott MacNair noted that there is a proposed conservation easement planned for this property, and if the building envelope was expanded, the amount of conserved property would be diminished.

The applicant is asking for a land development waiver to permit them to construct two dwellings on the property which would effectively merge the two lots with the restrictions discussed earlier.. Bob Wynn stated that the Planning Commission recommended that the land development waiver be approved subject to the items contained in the October 23, 2007, engineering review letter, plus the additional declaration that the second until will not be a rental unit. Additionally, there would be a restriction that any future purchaser of the property would have to purchase both homes as a unit.

Rob Zisko **moved** that preliminary/final approval of the land development waiver request be granted for construction of two buildings on a building envelope of 6 acres on consolidated lots, based upon compliance with the October 23, 2007, engineer’s review letter. Karen Bedics **seconded**; the motion **passed** unanimously.

2. Josh Duke Subdivision (Route 212) – Todd Myers, Cowan Associates, presented for the applicant Josh Duke. This property is located across the street from Wood Heat. Preliminary/Final approval on this minor subdivision was granted by the Board in December 2006. Proof plans were submitted to Bob Wynn, and the engineering response letter to the proof plan, dated July 11, 2007, indicated that the applicant would need an additional waiver from Section 305.C. of the Stormwater Management Ordinance. Rob Zisko **moved** that approval be granted for a waiver from Section 305.C. of the Stormwater Management Ordinance for existing improvements on Lot 1. Rod Wieder **seconded**; the motion **passed** unanimously.

3. Curry Minor Subdivision (Ebert Road) – Todd Myers, Cowan Associates, presented for the applicants. This property contains a very old log cabin, one of the oldest buildings in Springfield Township, that was in disrepair for many years and is now being restored. To offset the cost of buying this property and restoring the log cabin, the Curry’s want to subdivide, creating a second lot which they will sell. Lot 1 is approximately 2.7 acres and Lot 2 will be approximately 2.3 acres. The Planning Commission has unanimously recommended preliminary/final approval of this minor subdivision subject to completion of outstanding items contained within the October 17, 2007, engineering review. Todd Myers indicated the applicants will comply with all the items in the review letter, including payment of a \$3,000 fee to the Highway Capital Improvement Fund in lieu of street improvements. The applicant has also agreed to pay the costs associated with adoption of a Township Ordinance (if necessary) to post Ebert Road at a 25 MPH speed limit and also the cost to purchase the 25 MPH signs to be posted by the township road department.

Rich Schilling received an anonymous voice mail message from a resident today expressing concern about the special soils on the site and that it was a scenic overlay district. The caller did not leave a phone number. Bob Wynn indicated that scenic overlay requirements do not apply to a minor subdivision .

Chuck Halderman expressed concern about posting an additional township road at a speed that will not be observed and cannot be enforced with our limited police coverage. Scott MacNair said the vehicle code provides that if a township road is unposted, the speed limit is 25 MPH. He noted that if the road is not posted, the police cannot issue a ticket. Posting the road would enable the police to fine speeders. Bob Bell was not aware of the unposted 25 MPH township road regulation. Scott MacNair said the regulation was passed by statute approximately 4 – 5 years ago. It is contained in a new section of the vehicle code. Scott does not have the Vehicle Code with him, but can obtain the new section number if it is needed. He indicated the Board would need to pass a resolution to post the 25 MPH speed limit on Ebert Road.

Rob Zisko **moved** that preliminary/final approval be granted for the Curry minor subdivision, subject to the October 17, 2007, engineering review, which includes all the waivers requested. Chuck Halderman **seconded**; the motion **passed** unanimously.

Karen Bedics **moved** to authorize the solicitor to prepare a resolution to post Ebert Road at 25 MPH. Rob Zisko **seconded**. Jim Brownlow clarified that the applicant would escrow the cost involved in purchasing the speed limit signs, but that the road department would post the signs. Jim called for the question. The motion **passed** unanimously.

4. Rossetti Subdivision (Sideline Road) – Commencement of 18-month Maintenance Period

Bob Wynn stated that this four-lot subdivision has been completed, including the repaving of Sideline Road, grading of a swale along the frontage of the site, installation of driveways on Sideline Road, installation of street trees, and installation of on-lot stormwater management facilities. Bob is recommending acceptance of completion of improvements, reduction of the escrow funds to the 15% required to commence the maintenance period, and commencement of the 18-month maintenance period, which will terminate on May 27, 2009. If the township accepts completion of improvements, the First Savings Bank of Perkasio escrow amount can be reduced to \$9,985.51, which represents the 15% retainage required to commence the maintenance period. Rob Zisko **moved** to accept the completion of improvements for the Rossetti Subdivision. Rod Wieder **seconded**; the motion **passed** unanimously.

5. Spear Land Development (Springfield Street) – Waiver Request – Bob Wynn noted that at a prior Board meeting, the Board agreed to accept a contribution in lieu of planting street trees, conditional upon the acceptance by the applicant of a price obtained from Bob Wynn in lieu of the trees. Bob Wynn suggested a price just under \$4,000, which included removal of existing dead trees and replacement of new trees if they die within one year. Rich Schilling received a letter dated November 16, 2007, from Jerry Spear in which he provided an alternate cost assessment for the trees from a landscaper he contacted. Mr. Spears is proposing a one-time contribution in the amount of \$2,490 to the Township in lieu of planting the street trees along Springfield Street. This figure is based upon the estimate from the landscaper he contacted, not upon the estimate provided by Bob Wynn. Because there is no guarantee associated with the quote from Mr. Spear's landscaper to replace trees that die within a year, etc., the Board stated that Mr. Spears could either plant the required trees or pay the fee/amount in lieu of tree planting suggested by Bob Wynn.

6. Reed Lane Subdivision (Reed Lane) – Request for 1-year extension for the completion of improvements –

Bob Wynn stated he wrote a letter dated November 16, 2007, to the Cobblestone Building Group asking for the builder's anticipated schedule for completion of the required improvements and also addressing removal of trees which were supposed to be retained according to the approved subdivision plan. Additionally, the forest area along Reed Lane, which existed when the subdivision application was made and was to remain according to the approved plan, was removed by PP&L. The township received a reply letter from the contractor dated November 21, 2007, asking for a one-year extension for the completion of improvements. However, he did not reply to Bob Wynn's question about a proposed resolution for the excessive tree clearing.

Karen Bedics **moved** that until Reed Land Subdivision demonstrates compliance with the approved subdivision plan, no permits will be issued for this development. Chuck Halderman **seconded**; the motion **passed** unanimously.

Jim Brownlow **moved** that Reed Lane Subdivision be advised that they are out of compliance with the approved subdivision plan and that they have 30 days to bring the plan into compliance. Rob Zisko **seconded**; the motion **passed** unanimously.

Scott MacNair will send a letter to Reed Lane advising them of the Board directives.

There was a discussion about how to deal with PP&L not contacting the township prior to working or cutting down trees in township easement areas. Chuck Halderman feels that Bob Wynn needs to review any easements, especially utility easements, before they are recorded to ensure that they are worded in such a way as to prevent this type of thing happening in the future. Scott MacNair said that his office would add a clause to the Developer's Agreement requiring that our engineer review any easement wording prior to its being recorded.

7. Walentine Subdivision (Deer Trail Road) – Bob Wynn noted that this minor subdivision, approved in 2004, has an improvement escrow in place to cover required improvements. These improvements include a driveway entrance and installation of a stormwater management facility. Mr. Walentine has requested prior extensions to complete these improvements and has now requested an additional extension of one year to complete the improvements. Rob Zisko **moved** that a one-year extension be granted to Mr. Walentine to complete the improvements. Rod Wieder **seconded**; the motion **passed** unanimously.

Recess – 9:15 – 9:20 p.m.

Old Business

1. UBREMS Budget Request – Gary Pearson, president of Ubrems, presented the third quarter budget comparison report for UBREMS. He indicated that a number of changes had been made to improve their financial condition. The changes include:

- eliminating one more officer position, thus cutting back on salary. They now have a volunteer executive director who is reviewing their entire operation to see where they can improve and further decrease costs.
- The Office Manager position has been eliminated and the billing has been outsourced to another ambulance service. This has created a billing lag which was not expected and the cost savings expected from this move has not yet been realized.

He noted that they had not received funds from a number of municipalities who had made commitments. Another problem is that their service area (Riegelsville borough, and the townships of Durham, Bridgeton, Tinicum (about 90%), Nockamixon, Springfield, parts of Haycock and a small part of Richlandtown) doesn't provide the income through the service fees charged. They are trying to determine a better way to achieve the needed funds rather than having to ask municipalities for so much funding.

Jim Brownlow stated that Springfield had pledged to give \$60,000 predicated upon UBREMS need, and the township is looking for justification for the need to put up all the allotted money. Second, the township appreciates the service and having UBREMS so close, but we do not want to carry a disproportionate share of UBREMS support. He feels it is important that all other municipalities served by UBREMS also support the squad proportionately. Third, Jim noted that having provided UBREMS with a mobile home, although a cost to us, also ensures the township that the squad will remain within our township.

Rob Zisko **moved** that the \$60,000 authorized for UBREMS in 2007 be paid to them. Karen Bedics **seconded**; the motion **passed** unanimously.

Jim Brownlow indicated that the Board still needs to determine who should serve on the UBREMS Board, which meets on the third Monday of each month. When a decision is made about this, the township will contact UBREMS.

New Business

1. Switch from Auditors to CPA - The township plans to appoint a CPA to audit township books. Rich Schilling said that the current auditors support the idea of having a CPA audit township accounts. The primary reason for switching from elected auditors to a CPA for auditing is to become compliant with Section 702 of the 2nd Class Township Code which requires that the treasurer be bonded for the amount of money at her disposal at any one time. Rich read an email from Univest Insurance, the company from which the treasurer's bond is obtained, which states that a CPA audit is required to increase the treasurer's bond amount as required, as well as a CPA Management Letter that addresses the internal controls, financial procedures and policies of the township. At this time, the treasurer handles well over one million dollars, and with the five million dollar bond issue recently completed, that amount will soon be over six million dollars. Having a CPA audit township accounts will also give the township a better bond rating. Finally, the annual audit will be completed in 2 to 3 days instead of requiring 2 to 3 months.

Rich provided a copy of Article 9 from the 2nd Class Township Code which covers auditors and accountants and outlines what the role of each is. The auditors would not perform the annual audit, although they could review the results of the CPA audit. The auditors determine compensation for any supervisor who is employed by the township. Karen requested that copies of this information be given to Judy Franlin, the newly elected auditor.

Section 917 of the 2nd Class Township Code states that the Board can appoint a CPA to audit the books at any time and establish the wages for the CPA. Rich Schilling said that in municipal training classes he has attended they recommend that when the budget of a township exceeds one million dollars, it is best to hire a professional CPA.

Rob Zisko **moved** to authorize the Township Manager to advertise the township's intent to replace elected auditors with a CPA to audit township books. Chuck Halderman **seconded**. Rich indicated that one company has been interviewed at present, but that additional companies would be contacted. Jim Brownlow called for the question. The motion **passed** unanimously.

2. Supervisor Compensation – Rich Schilling stated that the compensation given to Springfield Township's supervisors is lower than any other township he's been affiliated with. The last compensation change for supervisors was made in 1985, when the Board authorized that supervisors would receive \$25 per meeting they attended. If a change in compensation rate is made before the end of the year, it would only affect new or re-elected supervisors. Supervisors with years remaining in their term when a change in compensation is made will continue under the old compensation rate until the beginning of their next term of office. An ordinance is required to change supervisors' compensation and it must be advertised and enacted before the end of a year to apply to incoming and/or re-elected supervisors, which this year would be Barbara Lindtner and Rob Zisko.

Karen Bedics feels that raises should also be given to Planning Commission and Zoning Hearing Board members. Jim Brownlow stated that the maximum amount a supervisor can be paid is based upon the township population. If the population is under 5,000, the maximum compensation for all meetings attended cannot exceed \$1,875. Karen asked whether the Board is receptive to granting an increase to Planning Commission and Zoning Hearing Board members, as she is not comfortable voting for a raise for supervisors if a raise is not also planned for the Planning Commission and Zoning Hearing Board. Jim Brownlow is receptive, but feels that more study is needed about what can be paid in both areas. Jim noted that the vote at this time is strictly to advertise the ordinance. The vote to pass the ordinance would be taken at the December meeting.

Rob Zisko said that he thinks townships can provide health benefits to supervisors. He would not feel right accepting township-paid benefits. However, he does not currently have health benefits, and it would be helpful for him if he could buy into Springfield Township's group health plan and pay for his own health benefits. Rich Schilling read from Section 606 of the 2nd Class Township Code: *Supervisors and their dependents are eligible for inclusion in group life, health, hospitalization, medical service and accident insurance plan paid in whole or in part by the township. Supervisor inclusion in the plans does not require auditor approval, but does require submission of a letter requesting participation at a regularly scheduled meeting of the Board of Supervisors before commencing participation. The insurance should be uniformly applicable to those covered and shall not give eligibility preference to or improperly discriminate in favor of supervisors.*

Chuck Halderman feels that his service as a supervisor is voluntary and he is happy with the current \$25/meeting which covers the cost of his gas. He feels supervisors should perform their work more as a public service than for pay. Jim Brownlow stated he does not take any compensation for his service as a supervisor, nor did he take compensation when he served on the Planning Commission. However, he feels that an array of different options is needed for people with different life circumstances. Passing the ordinance to raise supervisors' compensation does not require supervisors to take the money; it simply makes the money available if it is needed.

Jim Brownlow **moved** to authorize the advertisement of the ordinance moving the supervisors' compensation from \$25 to \$50 a meeting. Rod Wieder **seconded**. Karen Bedics feels this raise is long overdue. The Board puts in many hours to fill this office. They attend executive sessions, study material for meetings, and work on things like the Act 537 Plan and Sewage Management. Board members put in a lot of hours above the meetings that they are compensated for. Jim called for the question. Voting **Yes**: Karen Bedics, Jim Brownlow, Rod Wieder. Voting **No**: Chuck Halderman. **Abstaining**: Rob Zisko

3. Possible Changes to Agricultural Security Application – Karen Bedics submitted several suggestions to improve and provide more complete information on the Ag Security District applications. Karen Bedics **moved** that:

- Street & mailing addresses for the properties should be listed on the forms
- Full signatures of the Ag Security Committee members should be used, not just initials, with the date of the signature added

- Minutes of the Ag Security Committee should be submitted to the Board like other committees. Jim Brownlow **seconded**; the motion **passed** unanimously.

4. Fritchman Easement Donation – Scott MacNair stated that Mr. Fritchman is offering a conservation easement for his property (TMP 42-22-10 and TMP 42-22-12) to Springfield Township. The properties are located on Bodder Road and the acreage involved in the conservation easement is 23.43 acres. There are a number of costs associated with the easement—survey, appraisal, monumentation, baseline conservation study, and legal fees—which total approximately \$10,000. Scott’s office is also suggesting that Bedminster Land Conservancy would be a good agency to monitor enforcement. Bedminster Conservancy has been contacted and they have agreed to provide this service for an endowment fee of \$9,000.

Chuck Halderman **moved** to authorize an additional \$10,000 (up to \$12,000 was authorized previously) for a total of \$22,000, to cover the costs of the Bedminster Land Conservancy and the other fees associated with the Fritchman easement. Rob Zisko **seconded**; the motion **passed** unanimously.

Bruce Fritchman said that he is under a time constraint, as everything must be completed within 60 days. This means all work must be completed by December 7. Bruce asked if the Board would be willing to authorize a Board member to sign the conservation easement agreement as soon as the papers are ready.

Jim Brownlow **moved** that the Board authorize the vice chairman to sign the necessary paperwork for the Fritchman easement. Karen Bedics **seconded**; the motion **passed** unanimously.

Rob Zisko **moved** that Bedminster Land Conservancy be appointed as a co-holder of the Fritchman easement at a fee of \$9,000. Rod Wieder **seconded**; the motion **passed** unanimously.

Correspondence

Jim Brownlow noted that a number of correspondence items had been received (listed on the agenda) and copies were distributed to the Supervisors.

Public Comments - None

Supervisors Comments

Chuck Halderman asked a question about the Adams Outdoor Advertising listed under correspondence as being “In the Community Newsletter.” Chuck asked if they had requested to be in the township’s newsletter and was advised that was referring to another newsletter, not the Township’s newsletter.

Adjournment

At 10:18 p.m., Rob Zisko **moved** to adjourn the meeting. Rod Wieder **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt
Secretary/Treasurer

Next meeting: December 11, 2007
Approved: December 11, 2007