

Springfield Township Bucks County
Board of Supervisors Meeting
November 28, 2006

Present: Chairman Jim Brownlow, Vice Chairman Chuck Halderman, Rod Wieder, Rob Zisko, Karen Bedics, Township Manager Richard Schilling, Treasurer Sandy Everitt, Chief of Police Scott Huber, Solicitor Terry Clemons, Assistant Solicitor Scott McNair, Engineer Bob Wynn

Brownlow called the meeting to order with the Pledge of Allegiance at 7:30 p.m.

Bills for Approval:

Zisko motions to pay the bill list from November 10th thru November 25th. Bedics seconds the motion. Board votes unanimously to pay the bill list.

Public Comment on Agenda Items:

None

Old Business:

Upper Bucks Regional Emergency Service request for funding

Gary Pearson, acting president, sent letter and presents budget to give 100 percent coverage. Service was reduced by shifting ambulances to another station where there is higher need. Management reduced costs. They think they are up to what they need to operate at full service. Brownlow asks for comments from supervisors. Zisko clarifies that UMBRES was short \$100,000 last year. Bedics mentions government donations from 11/1/05 to 10/31 and 4/1/06 to 10/06 was 90,800. \$281,000 is what they need to bring the EMS back to 100 percent. Tincum is giving what they asked (\$53,800); Nockamixon is close and Haycock probably will come up to requested amount; same with Bedminister, but they are still discussing; Durham still not sure. Riegelsville Borough unsure; Bridgeton appears to give the requested amount; Richland Township did not give him answer yet. Schilling asks if those donations don't add up to requested amounts, would that affect Springfield's donation. Pearson states EMS would have to go to 66 percent or close one of the units down (the one outside the township building). He could not answer question because it depends on what all municipalities give. Brownlow mentions new tax was advertised and this will be on agenda for December 12 meeting. We anticipate at 849 employees \$44,000. There is an exemption to all earning \$12,000 or less. This tax is paid by employees, not necessarily residents. McNair will look into percentages other municipalities are actually collecting. Brownlow asks Schilling what do we have budgeted for EMS? Schilling: \$22,952. Zisko asks where else can we pull this money from. Schilling mentions the cost of the medical benefits maybe more than expected; cost may be 10 percent more or less than anticipated for Health America. Zisko says you have \$25,000 for police arbitration. Schilling states the goal is not to go to arbitration. Zisko suggests pulling the money for the EMS. Schilling says there is a \$150,000 carryover. Brownlow says we committed money for the Springfield Fire Co. Schilling says it is not needed till next year because truck delivery is not until October 2007. Brownlow also says two years township committed to redoing at least one road per

year and we receive fuels tax. We committed to a five-year program. Is this in this budget? Schilling states no that we are going to try to accrue liquid fuels fund. Halderman asks Wynn if there was a drainage project in the works. Wynn was asked to do some engineering work for Passer Road. Schilling says that project is in the budget. Wieder asks how much was forgiven for the start up the Water Authority and suggests loan payment from the Authority especially since they just received a \$300,000 grant. Schilling thinks around \$24,000 was forgiven. Wieder feels that since they received this grant they should repay the township. A paper he found from 1998 states the township doesn't expect anyone else to pay for the water or sewer usage except those who use it. Simmons says the entire grant is not paid at once and the water authority needs the money. Bedics looks at the police department at the total cost for two part-time officers and says to give the money to the EMS. Brownlow asks Pearson if we follow Bedics' suggestion and dedicate the \$10,000 unaccounted in the \$19,000 overage and we already donated \$22,750, will we get 100 percent coverage. Pearson says it is their intent. Clemons asks if Springfield funds at 100 percent, and others do not, is the township going to find that the EMS location here gets closed down. Pearson asks for the payments quarterly and they can evaluate as the year progresses, because the full amount may not be needed. Government and grant contribution is what funds the EMS. If grants go up, government support can be decreased. Brownlow asks Clemons if we decide that something we cut tonight is something to be reinstated, how would we do that. Solicitor says in January you can make substantial changes during a certain window of time. If you have unbudgeted funds you can allocate these funds to EMS etc. Zisko asks about \$10,000 in police legal. Chief Huber says we do not need \$10,000, but Schilling says just with the oversight of the Heckenswiler lawsuit that probably will expend that amount. Bedics asks how soon will we know if coverage will be 100 percent. Pearson responds in January. Schilling said most municipalities should have adopted their budget. Pearson said they must advertise by Thursday, December 7. The EMT can be applied to the EMS payment. Brownlow states we have been on this topic and used the discussion to talk also about our budget. He suggests to the board to express the intent to whether we are going to fully fund or not and not make it a motion until the budget item on the agenda.

Britt Forestry Update

Wynn photo documented the site and forwarded to Schilling, Mease and the EAC copies of the 21 photos of the site. There has been no activity since September as far as logging goes. The photos indicate this. Wynn documented the roadway being an old trail that existed many years ago had no vehicles driven down it. He also photographed the stream crossing. When Britt stated he would not do any more work he also advised that he called Haycock Lumber who admitted they would not use that bridge. There is a lot more water in the photo than in September. The logging area was a very clean operation. He also documented the wetland area showing no activity. He did not go out with the EAC due to a problem arranging a time with everyone's schedule. He sent them photos. Also, he had informed Britt that he would need to go back and verify no other activity occurred. Britt stated he did not want any members of the volunteer committee there without his knowledge. Brownlow asks how many trees were taken down. Wynn had no idea. Halderman had a problem that the EAC didn't go out with him and he wants to know what was cut down. He states he would like more data and discuss their opinions with the

solicitor. Bedics asks solicitor what other municipalities do when these incidents happen. Solicitor says there can be an annual inspection and limited to some delegated rep in the township. In Wrightstown an injunction action stopped the activity because it was in violation of a prohibition. This is not the case. If someone is willing to do forestry they come in advance and give the EAC and opportunity to evaluate because not all tree removal is a bad thing. Tree removal can help maintain a healthy forest. From an environmental standpoint was there any damage and there was no environment degradation. Clemons did not see anything in the photos. Zisko asks is that a stream or wetlands? Wynn says it is not a stream, but wetlands. Wynn says there is far more damage to township streams due to dirt bikes etc. Brownlow suggests we ask the EAC to develop an annual check program. Clemons suggests: 1) inventory properties in township subject to conservation easement and develop a system to flag when those properties are transferred and certain things require consent of the township. 2) develop an annual monitoring process and 3) in the future easements have better language than present. Halderman motions to have EAC come up with a plan for legal language to monitor our conservation easement. Bedics seconds the motion. Brownlow says we want EAC to develop a monitoring plan. Zisko says it is the Open Space Committee's task. Halderman amends motion to have the EAC and Open Space Committee develop a monitoring plan for our conservation easements. Bedics seconds the motion. Board votes unanimously in favor of the amended motion.

Bedics asks Clemons if Haycock Lumber should get away with this. She suggests that at the very least a very stern letter should be sent. Clemons agrees and asks how much money was deposited. Everitt states \$2,500. Clemons states; 1) That bond was to ensure compliance and 2) he will write Haycock Lumber that they need to be aware that the township regulations need to be followed and contact township before logging. Clemons thinks that Haycock prepared a mini-forestry plan and when they realized they were in trouble, had a forestry man come in and talk about project. Clemons says the trees are not the township property, but they have the right to monitor. The problem is no permission was obtained. There is not a provision in this easement to collect what costs you incur. You can write an easement where costs are recoverable. Clemons should write the letter. Also EAC and Open Space Committee jointly are charged. Bedics motions to have Clemons send letters to Haycock Lumber and Curt Eschelman and Britt expressing township's displeasure. Halderman seconds the motion. Board votes unanimously in favor of the motion.

2007 Budget

Schilling explained Chief and he and treasurer sat down yesterday and came up with a viable alternative to police department with two part-time officers.

Major changes:

Fines and Forfeits: Purchase of scales for police departments would generate revenues. A \$20,000 fine was missed a few weeks ago. McDonald is the scale specialist and he said \$30,000 to \$80,000 could be generated per year if scales are purchased. Chief said Bucks County has motor carrier team and this can be done several times a year in Springtown. Other officers who are certified inspectors can be used and our township would reap the benefits. Our officer is requested to accompany the team to other areas once a twice a year for an eight or ten hour shift. Halderman asks what the township nets on a citation.

Huber: Half the fine, but the fine is not the total of the citation. A typical citation is half of \$25.00. Speeding citations are sliding fines ranging from \$35.00 to \$150.00. Commercial vehicle enforcement fines are astronomical. The first 3,000 lbs over is \$75.00, but goes up exponentially. We can only cite these vehicles for minor traffic violations. Schilling states that the thought process is that part-time officers would free up McDonald to operate the scales.

Administration: 405.156 Hospitalization - Estimate 10 percent increase. 12,857.40

Police: Two part-time officers

Zoning and Planning 414.156 - Add \$2250 to medical

General Government - Add another \$2250 to medical

Back to UMBRES request under contributions we have 22,000 earmarked. If we give them the \$13,000 from dump truck sale that gives them \$35,000. The outstanding \$25,000 could come from arbitration in the police account or you can cut police spending or the \$25,000 could be used from this years rollover and make decisions after EMS tax is voted on.

SUPERVISORS COMMENTS:

Bedics: Pursell needs a roadman and a building person; why not a road and building person and this cuts out need for an extra person. Schilling says the cleaning is not up to par and we are spending \$6,000 to \$8,000.

Capital Improvement 409.73 - Is that for roof work? Schilling: That's for repairs.

Bedics: Is there a reason that it went from \$20,000 to \$15,000?

Schilling: We only used \$9,000. Brownlow asks about backhoe. Schilling states we are requesting a new backhoe with rollover from this year and that the request will take place at the next meeting.

Bedics: Police: Communications is at 0. Everitt: Radios are paid for.

Bedics has a problem with part-time officers. Neither she nor Halderman will vote for part-time officers.

Solicitor says approve a preliminary budget and then you have a meeting when you adopt the budget.

Brownlow asks for the net result. Schilling: Income level total of projected revenue and expenses would balance.

Brownlow asks how much do we have in UMBRES category? Schilling: \$22,000 and additional \$750 for Lifestar. He also points out that Lifestar contacted him yesterday and were supposed to drop off information about their services to the township and what their needs will be and they were planning on being here this evening to speak to this but no information was dropped off and no one is here tonight to speak to the Board.

Zisko: Take the \$25,000 police arbitration and throw it into the UMBRES. Schilling states if the Board is inclined to do that, we do have ample money in capital reserve to cover arbitration if necessary. Brownlow says EMS tax adds \$26,000 plus to work with if necessary.

Wieder motions to move the December 26th meeting to December 19th and to accept and advertise the preliminary budget. Bedics seconds the motion. Board 4 – 1 in favor of the motion with Halderman voting against the motion.

NEW BUSINESS:

Adams Outdoor Advertising

Schilling states that Zoning Officer Mease forwarded a list of zoning hearing cases that the Board could review and take a position if the Board desires. Halderman states that this is great communication to keep the Board informed so that they can make decisions to best serve the township.

Clemons states that the Adams Outdoor Advertising case involves a change to a sign with LED lights on Route 309 and Clay Ave. Permit application was denied because it involves moving objects, which is not permitted under provisions of zoning ordinance. BOS needs to decide whether legal representation is necessary. McNair said one concern LED billboard could mean a TV commercial playing on 309 all day long. Milford contested this type of sign due to safety issues. Clemons says that this is a policy issue for the BOS. Discussion took place on the solicitor's attendance to all three cases since he would be there for the meeting. Brownlow moves that the solicitor represents us at zoning hearing meeting for all three cases on December 11th. Bedics seconds the motion. Board votes unanimously in favor of the motion.

Correspondence:

On file at the township office.

Public Comment:

Paul Rush: How many subscribers to UBREMS in Springfield Township

Brownlow asks Schilling to find out from Pearson.

Solicitor asks Simmons how inspections will be handled for Springtown Knoll. Today we met with solicitor for Springtown Knoll Water Authority and Reshatar and attorney to come up with solution that everyone is comfortable with. There is an agreement that authority would have responsibility to engineer (Anderson) who would inspect water line components and back fueling of those water lines. There would be an allocation. Mr. Rice would prepare a supplemental agreement providing those inspections would be performed by Springtown Water Authority up to \$4500 of the inspection costs also a request that there be certain changes in terms of location of waterline, one being at the entrance way of Woodbine Road that the location be flip-flopped to not interfere with storm inlet there. That there be a six inch extension with the possibility of creating a loop in the future so that the water is not static and moves through and that the fire hydrants are relocated to lot lines. If BOS agrees to this, agreement will be prepared. Right now agreement states Wynn's office would take care of it all. Zisko motions to follow recommendations and arrangement that was approved by Water Authority, Reshatar and Clemons. Brownlow seconds the motion. As the construction proceeds, Anderson will inspect water lines, fire hydrants, valves, and Wynn wants that to include compaction of back fielding of water lines and submit certificates of completion, then we would authorize release of escrow that township maintains that part of the improvements. Wynn would continue to inspect the easements etc. as stated. Bedics asks who will pay Anderson. A percentage of waterline cost will go to Mr. Anderson. Board votes unanimously in favor of the motion.

Cindy McCurdy: Two things: 1) We need part-time police officers. We definitely need them. There are issues out there and we need the enforcement. 2) At the EAC meeting, Curt Eschelman lied and said after that they were going to plant trees and it seems like nothing is going to be done to him. He boldface lied to us. The BOS has to be respected and the residents need to come to you. She asks Clemons if anything can be done to him. Clemons: two separate issues: one is the permit was initiated and this easement gives us the right to monitor. Once folks realize that an easement was in place and after the trees were taken he came into the approval process. An easement we write in the future will be stated differently Schilling: Permit was not issued. McCurdy: Asks if EMS tax is just for residents or non-residents. Schilling: Both. It affects only people who work within Springfield Township.

Attorney Litman: I sit here and listen what is going on. Good government looks at budget as a vision, priority setting. The bigger question is how to use the scarce resources and whether or not you are effectively applying them. Growth is inevitable. You're at a critical time when you're considering adopting a new zoning code. The code is not looking at the reality that surrounds you. Reality is, for example, with the rail line. What's between Easton and Quakertown? Springfield Township. You have to realize the reality of the situation that mass transit is all around you and you're in an area where progress is coming and you need to address this for the next board that sits here. In the history of Springfield township, what do you see 10, 20, 50 years from now? You have to plan for that in a meaningful and effective way. You have a budget sitting before you and you're talking about cutting away police. Without police, people cannot be safe in their homes. People have to pay insurance for EMS. Think carefully. You are doing a band-aid approach here. You need more EMS services. You are by adopting a zoning code, allowing more dangerous roads to exist. Recognizing that some property owners have huge parcels of land, like the Metzgers. You have an accident almost daily on 309 in Springfield Township. You are creating a more dangerous condition when you direct traffic in another areas. Look for state funding sources and grant money. I do ask my letter be added to the minutes of this meeting. Look at this zoning code and analyze it carefully and if you don't like it, send it back. Simmons thanks the Board and the Engineer for the water authority. The system will be a better system.

Supervisors Comments:

Schilling asks Brownlow to defer Cable Franchise issues till December 12th meeting. Simmons says that Service Electric is coming from Route 611 to Route 412 and 212 to put in optic cable and they are supposed to have a plan for improving cable in the township. He spoke to the contractor from SECTV and improvement will be made by Christmas.

Zisko: Meetings are getting too long. Wieder and Bedics agree. Zisko motions to adjourn. Wieder seconds the motion. Board votes unanimously to adjourn the meeting at 10:30 p.m.

Respectfully Submitted,

Richard H. Schilling
Township Manager/Secretary