

**Board of Supervisors Work Session/Meeting  
MINUTES**

February 27, 2007

The meeting was called to order at 7:30 p.m. by Chairman Jim Brownlow and opened with the *Pledge of Allegiance*.

**Present:** Supervisors: Karen Bedics, Jim Brownlow, Chuck Halderman, and Rob Zisko. (Red Wieder was absent) Also present: Scott MacNair, Solicitor; Sandy Everitt, Secretary/Treasurer; Scott Huber, Police Chief; Rich Schilling, Township Manager; and Bob Wynn, Township Engineer.

Jim Brownlow noted that the Supervisors had an executive session prior to this meeting to discuss personnel matters.

**Approval of Minutes**

Jim Brownlow **moved** that the January 9, 2007, minutes be approved as distributed. Rob Zisko **seconded**; the motion **passed** unanimously.

Rob Zisko **moved** that the January 23, 2007, minutes be approved as distributed. Karen Bedics **seconded**; the motion **passed** unanimously.

**Approval of Bills**

Jim Brownlow **moved** to accept the bills for payment as listed on the January 24 – February 27, 2007, summaries. Rob Zisko **seconded**; the motion **passed** unanimously.

**Reports**

**Road Department Report** – Posted for public review.

**Code Enforcement Report** – Posted for public review.

**Police Report** – Chief Huber reported that the department responded to 119 calls for service in January 2007, representing a 3% increase over January 2006. (The entire police report can be viewed on the Police Section of the Township website.)

**Township Manager's Report** – Rich Schilling noted that on January 25 he met with Ken Simmons, Dennis Steskal and Representative Paul Clymer to discuss additional grant opportunities for the Springtown Water Authority. There will be a second meeting on March 2 with Representative Clymer and Penn Vest to discuss a potential \$150,000 grant. He noted that Dennis Steskal had provided information for the Supervisors on the zoning variance being sought by the Water Authority at their scheduled hearing before the Zoning Hearing Board on March 5..

He continues to familiarize himself with the functions of the police department and has met with Chief Huber on numerous police department issues.

Rich is continuing to work with the Historic Commission and the EAC to facilitate the PA By Way designation. Karen Freeh and the By Ways Coordinator will meet on Thursday, March 8.

Rich received a letter from Nancy Kemmerer indicating she wishes to serve on the Community Day Committee. Karen Bedics gave a verbal reference for Nancy, noting that she is a former Palisades Middle School gym teacher. Karen feels she would be an asset to the Committee. Karen Bedics **moved** to appoint Nancy Kemmerer to the Community Day Committee. Rob Zisko **seconded** the motion; it **passed** unanimously.

### Public Comments

**Ray Bodnar** said drivers are driving too fast on Hickory Lane and offered his driveway for police surveillance purposes. Chuck Halderman again mentioned the possibility of utilizing signs alongside the road that show drivers how fast they are going. Jim Brownlow pointed out that one hindrance to using these signs in a rural setting is that the roads are narrow and there is not enough space alongside the roadway to place the sign.

**Hans Reimann** added his road, Springtown Hill, has experienced the same problem of excessive speed. There have been two accidents within the last two months very near his driveway entrance.

### Planning Matters

**Estates of State Road (State Road)** – Bob Wynn, Township Engineer, stated that the Planning Commission has recommended that final plan approval be granted to this plan, subject to the completion of the items enumerated in his January 24 review letter, which was provided for the Board.

Evan Pellegrino, Urwiler & Walter, Inc., presented for the applicant, Solteck Equities, LLC. This subdivision involves several townships. Mr Pellegrino noted this property, located on the north side of State Road just east of Cut Off Road, is proposed to be divided into 3-lots. There will be some stabilized grass shoulder improvements along State Road; permits have been obtained from PennDOT for the improvements and also for the driveways. There will be individual on-lot stormwater detention basins, wells, and septic systems. The DEP approved the Planning Modules on February 16. He indicated the applicant will comply with Items 2 – 8 of the January 24 review letter. Referring to the fee-in-lieu-of cartway widening, sidewalks, street lighting and drainage improvements, they are prepared to contribute the \$3,000 per lot fee to the Highway Capital Improvement Fund.

Karen Bedics **moved** that final approval be granted to Estates of State Road Subdivision, conditional upon completion of the items listed in Bob Wynn's January 24, 2007, review letter and conditional upon receipt of the \$9,000 contribution to the Highway Capital Improvement Fund. Jim Brownlow seconded; the motion **passed** unanimously.

**Saddle Ridge Subdivision (High Point Road)** – Bob Wynn reviewed that this subdivision has been completed for approximately a year and a half. Three of the lots are in Springfield Township and the rest are in Lower Saucon Township. There was some difficulty in getting the dedication document to dedicate the road *Jakes Place* so that the 18-month maintenance period could begin. That has now been accomplished.

Scott McNair prepared Resolution 2007-04 covering acceptance of the completion of improvement, acceptance of dedication of *Jakes Place*, a reduction of the financial security to 15% and commencement of the 18-month completion period. There is a condition in the Resolution regarding replacement of street trees identified by Bob Wynn and noted in his January 19, 2007, letter.

Rob Zisko **moved** to accept Resolution 2007-04. Chuck Halderman **seconded** the motion; it **passed** unanimously.

### Public Hearing on Agricultural Security Applications

Scott MacNair presented the following properties that have made application to be added to the Agricultural Security District:

1. Jay Saddington (Tax Map Parcel #36-29-1) Richland Township  
Southeastern corner of Pumping Station Road and Heller Road  
59.9 acres – Planned Industrial District
2. Florence Stefanik (Tax Map Parcel #42-5-2)  
Southwestern side of Passer Road  
14 acres – Rural Residential District
3. Steve Luke and Amy White Luke (Tax Map Parcel #42-5-6)  
Northeastern side of Passer Road  
13.159 acres – Rural Residential District

4. Carol Schueler and Deborah Kinneer (Tax Map Parcel #42-9-134-5)  
Northeastern side of Wreescics Road (Landlocked parcel)  
26.5 acres – Agricultural District
5. Meril L. Joseph (Tax Map Parcel #42-20-14)  
Southwestern side of Old Bethlehem Pike  
46.69 acres – Agricultural District

The applications were reviewed by the Bucks County Planning Commission and by Springfield Township's Agricultural Security Committee. The BCPC made recommendations regarding including these Tax Map Parcels in the Agricultural Security District, with the exception of the Richland Township Parcel. They were not certain the Richland Township parcel was a necessary addition to the Agricultural Security Area. However, a subsequent response from our solicitor and from BCPC indicated that the county's obligation under the Ag Security Law to point out the soils issue on the Richland Township property does not supersede the Township's final review and decision. Both the Ag Security Committee and the Planning Commission recommended that we include this Richland Township parcel in our Ag Security District, as Richland Township does not have their own Ag Security District.

This hearing was advertised one time on February 6, 2007, and notices were posted on the properties and mailed to the property owners. This hearing was originally scheduled for the February 13 Supervisors meeting that was cancelled because of inclement weather. A notice of the cancellation was posted on the Township Building's door and on the website and the continuance date for the hearing was posted along with the cancellation notice.

The public comment period was opened.

**Hans Reimann** asked in what Districts the properties were located. Rob Zisko advised that the Springfield parcels were in the Rural Residential (RR) and the Agricultural District (AD). The Richland Township property is in their Planned Industrial (PI) area, but it is currently being farmed.

**Jay Saddington** (owner of the Richland Township parcel) commended Springfield Township for their foresight in attempting to preserve farmland from development.

**Chuck Halderman** understands the desire of farmers to be free of nuisances that sometimes affect their farming enterprise. However, he is concerned that we are permitting a parcel from a township where we are not the legislative body to be free of nuisances. He is particularly concerned because the Richland Township parcel is located in a Planned Industrial area, which is planned for something other than agriculture. He questioned whether we had contacted Richland Township to see whether they supported this property being part of our Ag District. Rob Zisko contacted Steve Seachrist, Township Manager of Richland Township. He verbally told Rob that he did not have a problem with it, since they do not have their own Ag District. Rich Schilling noted that Steve Seachrist had also called him and told him he was recommending this property be added to our Ag Security District. Chuck feels that because this is more of a policy issue, the Supervisors of Richland Township should have an opportunity to speak to this. He is concerned that the Richland Supervisors would have difficulty enforcing the protective ordinances that would come into place for this farm if they were a member of a neighboring Township's Ag Security District. Chuck would prefer to see something in writing from the Richland Township Board of Supervisors stating they are in agreement with this property being included in our Ag Security District.

Scott MacNair explained that there is a limited amount of ramifications for a property in Ag Security. Because we provided public notice and posted the Richland Township property, any neighbors who had a problem could have attended this meeting and voiced their concerns. The purpose of the law that permits property owners to be part of a neighboring township's Ag Security program is to allow properties within townships that cannot meet the minimum 500 acres that are needed to begin their own Ag Security District to have the protection offered by this state law. Rob Zisko advised that Bedminster Township has taken properties from Haycock Township into their Ag Security District and Buckingham has included Wrightstown Township properties in their Ag Security Districts. Chuck clarified that he does not have a problem with taking in properties from other townships, in fact, he feels it is good to cooperate with other townships in this way. His main concern is that we properly notify the governing body of those townships and they respond in writing that they are in agreement with the

property joining our Ag Security District. Rob indicated he also had concerns when this Richland Township application was first presented to him. For that reason, he contacted Terry Clemons and Terry advised him that this was acceptable to do. Following that, Rob called Steve Seachrist to get his approval. Chuck concluded that he would not want Richland Township making decisions on properties in our Township without giving the Supervisors an opportunity to weigh in first.

**Hans Reimann** suggested we get approval from Richland Township Supervisors, as Chuck is suggesting, even if it is after the fact. Scott MacNair said that a conditional approval could be granted if the Resolution was modified.

**Karen Bedics** asked Mr. Saddington what he was currently doing on his farm. He stated he grows corn, soybeans, etc. His property has been a farm for over 150 years. She asked why his parcel is zoned Planned Industrial, and he advised that the District was changed several years ago from Agricultural to Planned Industrial because several industrial companies had moved in. His farm has been under the Clean Green Act for the past 20 years, and they want to see their property preserved as farmland. He feels committed to preserving good farming ground for our children and grandchildren. Farming is still a permitted use for the Planned Industrial area where his farm is located.

**Hans Reimann** is familiar with the area where the Richland Township property is located and there are several issues that make it in the best interest of Springfield Township to support any kind of open space preservation—the Tohickon Creek, the woodlands and the current farming operation on the property. He feels that anything we can do to encourage buffers such as this one around the Township will be to our advantage.

There being no further comments, the public comment time was closed.

Rob Zisko **moved** to include all five properties in the Springfield Township Agricultural Security District. Jim Brownlow **seconded**.

**Karen Bedics** asked our solicitor whether it would be reasonable to table this until we get a written agreement from the Richland Township Supervisors. Scott MacNair said this action is not contingent upon obtaining agreement from Richland Township, although we may want to contact them. Even if they said they did not want this property in Springfield's Ag District, our Township could still move ahead with it.

**Rich Schilling** again asked if it might not be better to provide a conditional approval at this meeting because of the administrative cost involved in re-advertising, posting, holding another hearing, etc.

**Chuck Halderman** again stated that his concern is because this property is within an industrial area Richland Township has designated for industry. If Springfield includes this property in our Ag Security District, the property would then be able to seek county or state funds to preserve their property and Richland would then have a preserved farm in the middle of their Planned Industrial area. Scott MacNair again stated that this move will not preserve this property and other potential uses for this property are not being removed by placing it in an Ag Security District. It is simply protecting the property owner from a nuisance action by a neighbor if he continues to farm. Jim Brownlow noted that every time we pass a zoning change on a township border, we are doing something that impacts a neighboring township. Chuck isn't concerned about changes we make in our own township, but he is concerned when we make a change inside a neighboring township without their approval.

Voting **yes**: Jim Brownlow, Rob Zisko. Voting **no**: Karen Bedics, Chuck Halderman. The motion **failed**.

Karen Bedics **moved** to place all five parcels in the Ag Security District with the stipulation that Mr. Saddington's property and any future Richland Township or other townships' parcels have a conditional approval until written approval is received from the applicant's Board(s) of Supervisors. Chuck Halderman **seconded** the motion; it **passed** unanimously.

Scott MacNair will rework the Resolution and contact Richland Township for the written approval, hopefully in time for Springfield Township's March 13 Board of Supervisors meeting.

**Old Business**

**1. E-Meeting Discussion Board** – Karen Bedics was aware that Solebury Township has an online message board where residents can discuss township issues. She felt this might be a good thing for Springfield Township to have. However, upon visiting the website, she realized that the site was created and monitored by one of the township supervisors. She did not feel that any of the supervisors here could take on such a task. Karen distributed copies of an article published in The Intelligencer entitled *Gathering Opinions Online* to the Supervisors. She underlined sections of the article of particular interest, and suggested that the Supervisors review the article for discussion at a future date. Her main concern is who would maintain the site and respond to citizens requests.

**Rich Schilling** noted that our current website does have a way for people to contact us and questions and requests from the site come in from time to time. He added that the PSATS online discussion group can be very time consuming and we utilize it in a limited fashion when we need information from other townships. Karen felt the value of this is that residents who for various reasons cannot attend meetings have a way to communicate with the Township and have their opinions heard. Warminster seems to be obtaining valuable feedback from their online site, according to the article. People are given options to vote online for various community changes that are contemplated. One example given was three photos showing different options to beautify a street corner were posted online. People were asked to choose the one they liked best. Jim Brownlow pointed out that although residents can “vote,” these online “votes” are just opinions and cannot actually bring about an action. Rich Schilling confirmed with Scott MacNair his understanding of the legal way to conduct an official township survey. Scott confirmed that an official survey had to be mailed to every resident on Township stationery, and residents had to return sign and return the completed survey to the township. Rich is concerned with the anonymity of communicating via email. Individuals with a lot of time on their hands could abuse the time of Township employees with endless communications.

This will be discussed again at the March 13, 2007, Supervisors meeting.

**2. Excessive Speeding on Township & State Roads** – Bill Pomante, the resident who obtained signatures on a petition about this problem, was not in attendance at this meeting. Bob Wynn, Township Engineer, submitted a letter dated February 2, 2007, in response to the Board’s direction at the meeting where this problem was first discussed and the petition was presented. Rob Zisko moved to table further discussion until the March 27 Supervisors meeting. Karen Bedics seconded; the motion passed unanimously. Rich Schilling will contact Mr. Pomante and tell him this topic will be discussed at the March 27 meeting.

**New Business**

**1. Procedures for Public Notices from Developers** – Scott MacNair stated this came up with regard to a specific subdivision advertising they planned to utilize public water and sewer in their subdivision. There was concern because the Planning Commission was not aware of this advertisement. Scott advised that the regulations require the developer to notify the Township prior to advertising in the newspaper. Rich Schilling indicated the Township did receive such notice from the developer and that each member of the Planning Commission and the Board of Supervisors was notified. Scott stated that the correct legal procedure was followed by the Township, and this procedure should be followed in the future in such situations.

**Karen Bedics** asked if developers could instead have the township advertise for them. Scott MacNair said the township can take over advertising for the developer, he feels that the present system seems to be working and he sees no benefit in the township assuming this responsibility. Rich Schilling pointed out that the township cannot modify the DEP notification from the developer, and to assume the advertising would just add additional cost in staff time with no added value. Karen feels when email is utilized to notify township officials, the township should request a response to ensure that the email has been received and read.

**Chuck Halderman** suggested that a special “Public Notice” section be added to the township website so that legal notices and announcements of special importance can be placed there. Scott MacNair suggested a link from the announcement page of the website entitled “Important Public Notices.” Sandy Everitt will investigate

this with our website designer. Karen asked that whatever is done, it should appear important enough that people will look at what is posted.

**2. Regulating Mining in Springfield Township** – Karen Bedics raised this issue because of the Freeh property that was recently preserved where mining is being permitted. Rob Zisko stated that mining is permitted on any property preserved under the Ag Preservation Program. Karen said other townships, such as Nockamixon, are looking into adopting ordinances to regulate mining issues such as hours of operation, noise level, financial bonds that would need to be posted by the mining company, hazardous spills, groundwater contamination, emergency response, etc. Rob Zisko felt the reason Nockamixon needed to adopt an ordinance was because a representative from Arbor Resources was soliciting their residents to sign leases for natural gas exploration. Karen believes at least 200 Nockamixon residents had signed leases. Rob is not aware of any such activity in Springfield Township. Karen feels we should put regulations in place before the problem comes into this township. She does not want to restrict mining; rather, to regulate its safe operation.

**Chuck Halderman** thinks it is counterproductive to spend taxpayers' money to preserve properties that are then torn up in mining activities, etc. Rob Zisko stated the primary purpose of the Ag Preservation Program is to stop development—it stops houses from being built on these properties. There is no provision in the program that would permit natural gas mining facilities, oil drilling or any other activity of that nature to take place across the entire property.

**Jim Brownlow** asked Scott MacNair if the mining regulations will hold up in court. Jim understands that the state regulates mining and gas and oil drilling and townships regulate land use. Scott advised that townships cannot prohibit mining, etc., but certain restrictions can be imposed. Jim suggested that our solicitor can advise what we can legally regulate.

**Chuck Halderman** suggested we obtain a copy of and review the Nockamixon ordinance.

**Rob Zisko** stated there are different county programs with varying degrees of restrictiveness. If a property is funded through the Natural Areas Program, there are much stricter covenants in Natural Areas Easements that do not allow for mining, etc. He feels that the reason the Ag Easements are written as they are is so they are not challenged in courts.

**Karen Bedics** thinks at the very minimum, we should have restrictions from drilling within 200' of a home or 100' of a wetland or stream.

**Scott MacNair** indicated a number of townships have much stricter regulations with regard to setbacks, etc. He will provide ordinances from other townships for the Supervisors to review.

**Karen Bedics** thinks because the Natural Areas Program provides stricter regulations, it might be best to focus on natural area preservation rather than Agricultural Easements.

**Rob Zisko** noted there was no county funding for preservation of natural areas at the present time, while there is funding for Ag Preservation properties. He also questioned why we should invest money to preserve swamps, etc., when those areas cannot be developed anyway. He added that our current ordinances also regulate natural areas. For example, nothing can be built within 125' of any stream or waterway.

**3. Reed/Schnell Subdivision: Request for extension of required improvements** – Grant Reed was present and indicated he would like an additional one-year extension to complete the subdivision improvements on the property he purchased in August 2004 from the estate of the former owner. He has done extensive cleaning on the property and has removed over 100 junk cars to date.

Rob Zisko **moved** that a one-year extension be granted for the Reed/Schnell Subdivision improvements. Karen Bedics **seconded**.

**Chuck Halderman** had several questions. He had some concerns regarding Mr. Reed's interest in possible land preservation options for his property and the fact that he is also serving on the Open Space Committee. Mr. Reed stated that he wants to continue toward completing the subdivision process in case he is not able to

participate in a land/farm preservation program. Chuck asked what subcommittee Mr. Reed served on within the Open Space Committee, and was advised he served on the Finance Subcommittee. This committee is looking into the various options available for borrowing funds to preserve property. Rich Schilling pointed out that Mr. Reed was not on any grading or ranking committee. Rob Zisko stated that there are individuals on the rating committee who have also applied to the Ag Preservation Program or had family members apply. This is because those who serve on this Committee are vitally interested in land preservation. Mr. Reed would prefer to preserve his property rather than have three homes built on three 20-acre lots. Rob pointed out if Mr. Reed sold his property, there are no deed restrictions on these proposed 20-acre lots, so they could conceivably be further subdivided resulting in even more homes being built on the 60 acre tract.

Jim Brownlow called for the question. The motion passed unanimously.

**4. Authorize Appraisal of Cory Property** – Chuck Halderman moved to authorize an appraisal by David Palmer, Land & Building Group, of the Cory Property, located on Slifer Valley Road. Rob Zisko seconded the motion; it passed unanimously.

### Correspondence

1. Miscellaneous correspondence from Township Solicitor / Township Engineer
2. PA Sexual Offenders Assessment
3. Notice from Wrightstown Township of relocation of township offices
4. Bucks County Planning Commission description of services letter
5. PSATS Correspondence
6. PEMA – notification of annual exercise
7. Delaware Valley Regional Planning Commission – meeting notice and correspondence
8. 2010 Census Information

### Public Comments

**Hans Reimann** thanked the Supervisors for approving all five properties into the Ag Security District. Hans remarked there was a newspaper article about a 44-acre lot in Springfield Township where 10 homes are being proposed. Rob Zisko thought the site could be the former Unique Nursery location in Springtown.

Hans asked Bob Wynn about use of an ATV vehicle by someone who was tearing up property extensively, some of which was not his own. He wondered who he could contact about this excessive ground disturbance. Bob suggested he contact the Bucks County Conservation District.

**Sandra Kugler** – Mrs. Kugler had two questions.

- 1) She lives on Walnut Street in Springtown. She understands that there will be new water lines installed and she wondered if Walnut Street could be repaved following installation of these water lines. She thinks it was last paved in 1965 and the road is in very poor condition, at some places it is close to turning back to a dirt road. She said a surveyor put a hole in the street that was never fixed. Rich Schilling will ask the Roadmaster to look into this situation.
- 2) There is a vacant house on Route 412 (Strawberry Place) near the post office with furniture sitting around outside. She is concerned that no one appears to have gone in since one owner died and the other owner was placed in a nursing home. With the extreme cold weather, pipes could have frozen and she feels someone should check into this. Rich Schilling will have the zoning officer check this property.

**Willard Weirbach** would like to serve on the Community Day Committee. He has antique engines which he sometimes shows at community events, and he would like to display them at our Community Day event. Rich Schilling said the Committee will be responsible to decide the event activities. Rob Zisko moved to appoint Mr. Weirbach to the Community Day Committee. Karen Bedics seconded; the motion passed unanimously.

**Ray Bodnar** reviewed his concerns about the Zoning Ordinance revision promoting development rather than discouraging it. He would like to see the bonus density removed entirely.

He feels we are not capitalizing on having the Cooks Creek Watershed in our township. Chuck Halderman feels it is vital that the Cooks Creek Overlay District be included in the Zoning map.

**Grant Reed** feels that it is important to look into the mining issue that was discussed earlier. He commended the Planning Commission for their efforts to limit development. This is valuable to every resident in the township.

#### Supervisors Comments

**Chuck Halderman** questions whether we should be spending tax payers' money to preserve land where mining activities can then take place.

**Karen Bedics** received a note from Rose Strong which she will give to Chief Scott Huber for follow up. The note was in reference to speeding in Springtown. Rose suggested a crosswalk identified with one of the green signs in the middle of the road stating "Yield to Pedestrians." Bob Wynn indicated that placing a cross walk on a State (Route 212 bisects Springtown and is a state highway) highway would have to be authorized by PennDOT.

**Rob Zisko** feels we need to push developers into redeveloping cities where there is infrastructure, sewers, public water, etc. That is a why he is vitally interested in Ag Security and preservation and working to preserve the rural character of our township before we end up as sprawling suburbia. He will provide the Supervisors with a copy of the Ag Easement guidelines.

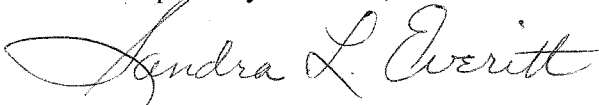
**Jim Brownlow** wanted to publicly express his appreciation to Ken Simmons for all that he has done for the township. Ken received a special award for his service to the community from Senator Rob Wonderling at a regional Stormwater meeting recently.

Jim encouraged those present to note the dates of future meetings and to participate as they are able. Each meeting has relevance to what ultimately takes place in the township.

#### Adjournment

At 9:35 p.m., Rob Zisko **moved** to adjourn the meeting. Jim Brownlow **seconded**; the motion **passed** unanimously.

Respectfully submitted,



Sandra L. Everitt  
Secretary

Next meeting: March 27, 2007