

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY  
BOARD OF SUPERVISORS MEETING  
MARCH 14, 2006**

The meeting was called to order at 7:30 p.m. with the Pledge of Allegiance by Chairman Jim Brownlow. Members in attendance were: Vice Chairman Chuck Halderman, Rod Wieder, Rob Zisko and Karen Bedics. Solicitor James McNamara, Township Engineer Bob Wynn and Geologist Kent Littlefield were present.

**MINUTES OF FEBRUARY 14, 2006**

Rob Zisko moved to approve the minutes as distributed. Second by Chuck Halderman. Vote was 4-Yes. Rod Wieder abstained.

**MINUTES OF FEBRUARY 28, 2006**

Rob Zisko moved to approve the Minutes as presented. Second by Karen Bedics. Vote was 4-YES. Rod Wieder abstained.

**BILLS FOR APPROVAL  
February 9 through March 10, 2006**

Chuck Halderman moved to approve the minutes showing payments of \$40,206.49 from the General Fund for the period February 9 through March 10, 2006. Second by Rob Zisko. Vote was unanimous.

**REPORTS**

**Road Department and Code Enforcement Reports** are posted on the bulletin board at the rear of the meeting room.

**Police Report** – Chief Scott Huber reported a total of 104 incidents for the month of February. There were a total of 9 accidents involving 15 vehicles resulting in 2 injuries. Fourteen traffic arrests were made and seven traffic warnings issued.

Chief Huber addressed Karen Bedics request that the State Police provide more detail on calls they respond to in the Township. The Chief had a conversation with Sgt. Murphy, officer in charge, and was told they will only provide information to Townships that has been released through the press. This is their policy.

Jim Brownlow suggested Karen Bedics get together with the Chief to discuss the parameters for information she would like to review. This information can be presented for discussion with the Supervisors.

**PUBLIC COMMENT AGENDA ITEMS  
NONE**

## **SPRINGTOWN KNOLL**

Jim Brownlow stated the Supervisors have invited a number of people to the meeting this evening to talk about two things: the planning module for Springtown Knoll and review of the process the township follows in submitting planning modules to DEP for approval. Clinton Clever from DEP has not arrived. Jim would like to come back to Springtown Knoll and move ahead on the Agenda items.

## **PLANNING MATTERS**

### Cohen-Martin Lot Line Adjustment – Preliminary Final Approval

Jim Brownlow explained the proposed subdivision will convey 7.07 acres to the lands of Martin. The Cohen property will be reduced from 44.68 acres to 37.61, while lands of Martin will increase from 20.77 to 27.84 acres. The area to be conveyed is primarily an unwooded pasture/field area of the site. No new building lots or development activity is proposed. The property is located on Lehnenberg Road, Bodder Road and Harrow Road in the Agricultural Zoning District. All waivers of Subdivision Ordinance requirements requested in the February 7, 2006 Eastburn and Gray correspondence were unanimously recommended for approval.

Rob Zisko moved to grant Preliminary/Final approval to the Cohen-Martin Lot Line adjustment subject to completion of all outstanding items contained in the February 14, 2006 engineering review from Wynn Associates. Second by Rod Wieder. Vote was unanimous.

Keller/Schaffer Lot Line Adjustment – This is a 32 acre site located on Salem Road and Povenski Road in the Resource Protection Zoning District. The proposed subdivision will convey 1.00 acre to lands of Keller. The Schaffer property will decrease from 32.038 acres to 31.038 while lands of Keller will increase from 0.437 to 1.437 acres. No new building lots or development activity is proposed. Preliminary/Final approval was recommended by the planning commission. Requested waivers of Subdivision Ordinance requirements as contained in the December 14, 2005 Mease Engineering correspondence were recommended for approval.

Rob Zisko moved to approve the Preliminary/Final Plan for Keller/Schaeffer conditioned upon completion of all outstanding items listed in Wynn Associates letter dated January 3, 2006. Second by Rod Wieder. Vote was unanimous.

Reese Major Subdivision – This 14.81 acre site is located in the Rural Residential Zoning District on Nemeth Road and is proposed to be subdivided into three lots for use B12, single family dwelling.

Rob Zisko moved to grant Preliminary Plan approval to the Reese Major Subdivision conditioned upon completion of all outstanding items listed in Wynn Associates engineering review dated February 23, 2006. Second by Karen Bedics. Vote was unanimous.

## **NEW BUSINESS**

Resolution 2006-011 – (Amending Resolution 2004-003) Tax Collector Procedures

Jim Brownlow read #3 the addition to this Resolution.

In the event a check presented for payment of real estate taxes to the Springfield Township Tax Collector is returned unpaid by the maker's bank (including but not limited to Insufficient Funds, (NSF), Account Closed, Payment Stopped, Unable to Locate, Signature Missing, Refer to Maker, etc. the following fees may be charged to the maker of the check.

Any and all fees charged by Commerce Bank to the Springfield Township Tax Collector plus an administrative fee of \$15.00 per check. Should Commerce Bank credit or return fees charged to the Tax Collector, the Tax Collector will return those fees with the exception of the Administrative fee of \$15.00 to the Maker.

Karen Bedics moved to adopt Resolution 2006-011. Second by Rod Wieder. Vote was unanimous.

2005 Audit Report – Jim Brownlow stated the Board of Auditors have done a thorough review of the accounting records of Springfield Township for the year 2005 and have completed the audit.

In their opinion, the statements of revenues and expenditures prepared from the computer files and records present fairly the financial condition of Springfield Township.

The Concise Financial Statement was sent to the Morning Call and was published in the Bucks County edition on March 7, 2006.

Copies of the Audit were filed with the state as required. A copy is on file with the Township Secretary.

Chuck Halderman moved to accept the 2005 Audit. Second by Rob Zisko. Vote was unanimous.

Compensation for Auditors – Each of the auditors worked 100 hours at \$10.00 per hour to complete the audit. Rob Zisko moved to compensate Francis Nekoranik, Edward Riter and Richard Wiegner \$1,000. each for completion of the 2005 audit. Second by Rod Wieder. Vote was unanimous.

Rod Wieder moved to increase the Bond for the Township Treasurer to \$1.5 million dollars. Currently the bond is for \$500,000. Second by Rob Zisko. Vote was unanimous.

Jim Brownlow requested that a letter of thanks be sent to the auditors.

Letter of Support for Cory Farm for Heritage Conservancy - Jim Brownlow read the letter:

Clifford David, Jr. President Heritage Conservancy

Dear Mr. David:

As Chairman of the Supervisors for Springfield Township, I am writing in support of Heritage Conservancy's efforts to acquire conservation easements on the lands owned by the Cory Family located on Pleasant Hollow Road. This 90 acre property is very important to Springfield Township for many reasons, including its frontage along Cooks Creek, proximity to other preserved lands and diversity of wildlife habitat.

We thank Heritage for your continuing efforts throughout Bucks County, and particularly the Cooks Creek Watershed, in which Springfield Township is an integral partner in ongoing conservation efforts.

Sincerely,  
James C. Brownlow, II, Chairman

Chuck Halderman moved to send the letter of support for the Cory property to Heritage Conservancy. Second by Rob Zisko. Vote was unanimous.

### **SPRINGTOWN KNOLL**

7:50 p.m. Clinton Cleaver arrived.

Jim Brownlow stated the Township has two issues to discuss: (1) Planning Module for Springtown Knoll and approvals and (2) Process for submitting Planning Modules as part of the planning process in the Township.

The Planning Module for Springtown Knoll has several issues which Jim Brownlow would like to summarize.

Attorney Bradford Lare, representing Reshetar Realty asked if he could introduce the people representing Reshetar Realty. Robin Reshetar, Ron Richie and Gail McCarthy a court reporter who will be recording the proceedings.

Jim Brownlow continued, he is not clear who is responsible or accountable for approval or disapproval of the Planning Module. The site contains 20 lots on an average of one acre. On lot sewage is proposed at 500 gallons or 1.25 EDU's per dwelling. The Township processed the planning module and forwarded the application to DEP. There was subsequent correspondence that DEP determined the site to be marginal, not specific to lots.

In a letter dated February 14, 2006, the Bucks County Health Department stated two lots have marginal soils.

The applicant signed sewage maintenance agreements for 20 lots which were submitted with the planning module package. Jim is not sure if the escrow fee of \$2,500 should be posted for 20 lots or 2 lots.

Jim asked what constitutes marginal soils and what determines a marginal site. Who approves the planning module Bucks County Health Department, DEP or both.

This site is over karst this must be shown on planning maps. If the property is over limestone would this affect sewer.

Chuck Halderman stated he is concerned that the carbonate geology under this property causes him concerns about township liability and read the following notes:

NOTES FOR TUESDAY 03/14/06 MEETING

THE DEVELOPMENT IS SPRINGTOWN KNOLL (FORMERLY SPRINGTOWN COUNTRY MANOR). MY CONCERNS ARE: WHO DETERMINES THE SITE MARGINAL AND WHAT IS THE CRITERIA? WHO IS RESPONSIBLE FOR THE SUBMISSION OF THE SEWAGE FACILITIES PLANNING MODULES? THE MORE IMPORTANT CONCERNS WITH THIS DEVELOPMENT ARE: THE CARBONATE GEOLOGY AT THE SITE AND THE TOWNSHIP'S RESPONSIBILITY AND LIABILITY ENTERING INTO A SEWAGE MANAGEMENT AGREEMENT. I WOULD LIKE TO THANK BARBARA SMITH FOR HER CONCERNS AND BRINGING THEM TO MY ATTENTION. THE FOLLOWING IS THE LIST OF THOSE CONCERNS AND QUESTIONS.

1. THE BUCKS COUNTY HEALTH DEPARTMENT'S LETTER DATED AUGUST 27<sup>TH</sup>, 2002, NOTES THAT MOST OF THIS PROJECT IS UNDERLAIN BY CARBONATE GEOLOGY.
2. THE SCIENCE APPLICATIONS INTERNATIONAL CORPORATION'S LETTER DATED SEPTEMBER 17<sup>TH</sup> 2002 CONFIRMS THE PRESENCE OF CARBONATE GEOLOGY
3. THE PLANNING MODULES SUBMITTED BY SPRINGFIELD TOWNSHIP RESOLUTION 2005-07 TO THE D.E.P., WERE WITHOUT THE CARBONATE GEOLOGY INFORMATION ACCORDING TO MY CONVERSATION WITH CLINT CLEAVER AT THE DEP, IT HAD BEEN CONFIRMED BY SCIENCE APPLICATIONS INTERNATIONAL CORPORATION SEPTEMBER 17, 2002 LETTER.
4. THE NOVEMBER 1, 2005 LETTER FROM THE D.E.P. WITHOUT THE KNOWLEDGE OF CARBONATE GEOLOGY DETERMINED THE SITE MARGINAL FOR LONG TERM ON LOT SEWAGE DISPOSAL.
5. IN THE SAME LETTER OF NOVEMBER 1, 2005 IT STATES THAT THE TOWNSHIP COMPLETE SECTION Q, WHICH WAS LEFT BLANK IN THE TOWNSHIP'S SUBMISSION.
6. ON DECEMBER 19<sup>TH</sup> 2005 THE TOWNSHIP MANAGER SUBMITTED SECTION Q, OF THE PLANNING MODULE, NOTING THAT THE TOWNSHIP WOULD ENTER INTO A SEWAGE MANAGEMENT AGREEMENT. THIS WAS DONE WITHOUT AUTHORIZATION FROM THE BOARD OF SUPERVISORS
7. ON DECEMBER 13<sup>TH</sup>, AT THE BOARD OF SUPERVISORS MEETING WE DISCUSSED WHETHER TO ENTER INTO A SEWAGE AGREEMENT WITH AN ESCROW OF \$2,500.00 PER LOT. WHEN IN FACT THE CHAIRMAN OF THE BOARD OF SUPERVISORS (AT THAT TIME) HAD ALREADY

SIGNED TWENTY ON LOT SEWAGE MANAGEMENT AGREEMENTS ON NOVEMBER 22, 2005. THIS AGREEMENT WAS PREPARED WITHOUT THE BOARD AUTHORIZING IT, IT WAS NOT REVIEWED BY THE SUPERVISORS AND ROD WEIDER SIGNED IT WITHOUT BOARD APPROVAL.

- A. WHO AUTHORIZED THE CHAIRMAN TO SIGN THE AGREEMENTS WITHOUT BOARD APPROVAL ?
  - B. WHO PREPARED THOSE AGREEMENTS ?
8. IF THE D.E.P. HAD BEEN GIVEN ALL OF THE INFORMATION, INCLUDING THE CONFIRMATION OF CARBONATE GEOLOGY THE D.E.P.'S HYDROGEOLOGIST WOULD HAVE BEEN REQUIRED TO REVIEW THE TRACT.
- A. WOULD THE HYDROGEOLOGIST HAVE REQUIRED A REDUCTION IN THE NUMBER OF ON LOT SYSTEMS AT THE SITE?
9. SOMETHING WENT WRONG HERE AND HOW ARE WE GOING TO ENSURE THAT THIS DOES NOT HAPPEN AGAIN ?
10. DO WE NEED TO REVIEW OUR PROCEDURES TO DETERMINE WHO IS AUTHORIZED TO COMPLETE SECTION Q, OF THE SEWAGE FACILITIES PLANNING MODULE ? IT IS MY OPINION THAT THIS IS A BOARD DECISION BECAUSE IT BECOMES A TOWNSHIP LIABILITY. IT WAS SUBMITTED AFTER THE RESOLUTION 2005-07 ON 9-13-2005.

Bucks County Health Department in a letter dated August 27, 2002 stated most of the project is underlain with carbonate geology. SAIC in a letter dated December 17, 2002 confirms the presence of carbonate geology.

Chuck contends no carbonate geology information was given to Clinton Clever at DEP. Section Q of the planning module package was left blank. The Township Manager submitted the planning module to DEP with no authority by the Board of Supervisors. Resolution 2005-07, approved by the Supervisors at a meeting, was included with the planning module package. Chuck Halderman stated the Solicitor prepared sewage maintenance agreements for each of the 20 lots with no Board approval. The Chairman of the Board at the time signed 20 sewage maintenance agreements. He was not authorized by the entire board to do so.

Chuck continued, if DEP was given all of the information they would have required a hydrological review of the tract. The planning module should have been returned to the Board to determine the sewage option.

Jim McNamara stated the Supervisors granted approval for the Springtown Knoll plan in September of 2005 subject to conditions, which included posting security for improvements and escrow for the 20 lots which DEP categorized as having marginal soils. Springfield Township has an Ordinance, adopted in 1999, to address sewage management agreements. Certain types of systems require the adoption of a maintenance agreement and a fee of \$2,500 to be placed in escrow for each lot required. These funds are held to guarantee the operation of the system, if the homeowner does not.

Jim McNamara continued the question that Mr. Reshetar raised is that the entire site was determined by DEP to be marginal. However, not all of the 20 lots contain marginal soils. Mr. Reshetar requested that the township only require the \$2,500. deposit for the lots that contain marginal soils. According to a letter from Bucks County Health Department, there are only two lots that are involved.

The approval for the Chairman to sign the agreements is a result of the final approval by the Board of Supervisors.

Jim Brownlow stated it is not clear who has the ability to approve or disapprove the planning module on this project. There are 20 lots with an average of one acre per home with 20,000 gallon septic systems. Some of the soils on the site are marginal and the site has been determined to be marginal.

Jim Brownlow stated the township is responsible for the residents' on lot sewage systems, however DEP and the Department of Health approves the permit of the systems.

Clinton Clever from DEP stated the Act of 1966 gave Pennsylvania municipalities full responsibility for sewage facilities. If planning modules are correct and comply with the regulations, the DEP has oversight. Jim Brownlow stated Mr. Clever says DEP has oversight; you sign what the township submits. However the township cannot issue the permit. If the township is totally responsible, we do not need the Health Department and DEP. In affect DEP rubber stamps what the township sends you.

Chuck Halderman referred to the Planning Module submitted to DEP, specifically page 9 section Q. This item discusses karst on the property. This was not checked therefore DEP was not aware of the karst on the Springtown Knoll property. A hydrological study should have been done. The township could have selected other options for sewage on this property Chuck stated the township manager submitted this module without the authority of the Board of Supervisors. The former chairman signed the 20 sewage maintenance agreements without the authority of the Supervisors.

Township Engineer Bob Wynn referred to a map of the property which accompanied the planning module. The geology is clearly indicated on the map. Mr. Clever stated perhaps it was missed.

Karen Bedics asked Clinton Cleaver twice about not there not being a note referencing the carbonate geology on the paperwork that DEP received and Mr. Cleaver said that the paperwork would not be considered complete because there was not a notice on it about the carbonate geology.

Robin Reshetar stated he has done everything the Township required. They have completed three studies on the property at a cost of \$50,000.00. All of the issues have been addressed and DEP and the Health Department have received the information regarding the geology. Attorney Lare stated there was approval given at the Supervisors meeting on September 13 by a vote of 5-0 for the plan, conditioned upon financial escrow being established.

There was a lengthy discussion about procedures, etc. with no direction provided by Mr. Clever from DEP. The planning module procedures will be addressed by the Supervisors.

Attorney Lare stated it is his understanding this meeting is being held to determine the amount of escrow to be posted for the 20 lots. Jim McNamara stated the amount should be \$2,500. Per lot based upon the DEP approval.

Clinton Clever stated he would request that DEP review the hydrology study without reopening a new planning module. He stated his office can do that and we can move on with the issue it that will be hopeful.

Rob Zisko moved to accept the \$2,500.00 for each of the 20 lots at Springtown Knoll. Rob stated he does not agree with the development but he doesn't see how two questionable systems will fail any more than any other system in the township. Seconded by Rod Wieder. Vote was Mr. Zisko, Mr. Wieder and Mr. Brownlow – YES. Mr. Halderman and Ms. Bedics – No. Motion carries.

Karen Bedics moved to review procedures for planning module submissions. Seconded by Rob Zisko. Vote was unanimous.

## **OLD BUSINESS**

Milford Trumbauersville Area Sewer Authority letter dated February 14, 2006 regarding Zion Hill Sewer System Capacity. The Supervisors acknowledged the letter.

Pennsylvania Rural Water Association Membership – Jim Brownlow stated he investigated the contract with Bucks County Water & Sewer Authority and there does not appear to be a conflict with joining the Association. Chuck Halderman moved to join the Pennsylvania Rural Water Association and pay the membership fee of \$350.00. Seconded by Karen Bedics. Vote was Mr. Halderman, Ms. Bedics, Mr. Zisko and Mr. Brownlow – YES. Mr. Wieder – NO.

## **CORRESPONDENCE**

Letter from Heritage Conservancy thanking the Township for participation in the preservation of the Neiss property on Richlandtown Pike.

Letter from Denise Sandy dated March 14, 2006 regarding the kilns on the Springtown Knoll property.

Scott Mease responded to the question by Denise Sandy regarding the kilns. The property is where the kilns are located will be deeded to the township.

## **ITEMS FOR DISCUSSION WORK SESSION MEETING MARCH 28, 2006**

Springtown Fire Company – Apparatus replacement fund \$25.00 per household  
Ken Simmons/Jim King – supplement to Cable TV Ordinance #133  
EAC  
Open Space Borrowing

## **PUBLIC COMMENT**

Dennis Steskal – discussed repairs to the Springtown Water System by Bucks County Water & Sewer Authority.

Steve Doncevic – asked about Springtown Knoll.

Mrs. Sullivan – read the following letter in reference to a dangerous situation that exists on her parent’s property.

March 13, 2006

Board of Supervisors  
Planning Commission  
Springfield Township, Bucks County  
2320 Township Road  
Quakertown, PA 18951

Dear James C. Brownlow II, Chairman, Board of Supervisors  
Barbara Lindtner, Chairperson, Planning Commission:

As owners of a property which borders a section of the approved SPRINGTOWN KNOLL housing development, we are extremely concerned over the potential hazard which exists due to its proximity to the old stone quarry on our acreage.

The upper edge of the quarry is approximately 75 feet from the boundary lines of some of the lots.

The depth of the quarry is estimated at 70- feet.

The upper perimeter is oval shaped and extends over a very large area.

To our knowledge, no measurements of the quarry had been taken regarding the quarry’s spatial relationship to the lots prior to approval of the development.

This is a dry quarry and contains a number of small caves, representing an “attractive hazard” to children and family pets. Less than three months ago an illegal trap was found along the top edge of the quarry by family members. A special tool was required to open this trap, but it was too late for the cat which had been trapped inside and which subsequently died.

Approximately three years ago, when the site was owned by Mr. Wagner, our concerns were brought to the attention of the planning commission at a township meeting. At that time, a member of the commission spoke to the possibility of requiring the developer to erect some form of barrier, blending in with the surrounding landscape, around the upper perimeter of the quarry in the interests of safety.

Recently a state employee who was on our property and viewed the quarry from the top, remarked to the owner when told of the plans for this development, “Someone is looking for trouble.”

A call we placed in January, 2006 to the township engineer was not returned.

We would expect that if the development of these 20 homes proceeds as currently planned, the potential buyers of the lots would be made aware of the quarry’s presence by the developer and /or realtor.

After reviewing the above, it is our sincere hope that the township supervisors and planning commission members will act in a responsible manner on this issue.

Sincerely,

Andrew and Brenda Kalata  
3071 Flank’s Mill Rd.  
610-428-1495 or 904-824-1524

## **SUPERVISORS COMMENTS**

Jim Brownlow thanked everyone for coming.

Karen Bedics – no comments

Rod Wieder discussed individual supervisors contacting outside agencies on behalf of the Board of Supervisors. Rod stated this was a problem in 1997 and the Supervisors at that time established procedures requiring approval by the Board prior to contacting outside agencies.

The Ad Hoc Committee was established by the Supervisors to make a recommendation to the Board. They should not be influenced by individual Supervisors.

Chuck Halderman stated he can contact anyone he wants to without permission.

Leonora Halderman stated her husband cares about the Township. He puts a lot of time and energy into his decisions.

## **ADJOURNMENT**

Jim Brownlow moved to adjourn the meeting at 10:00 p.m. Seconded by Rob Zisko. Vote was unanimous.

(Barbara Smith's minutes as amended)

Respectfully Submitted

Richard H. Schilling  
Secretary