

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
MARCH 28, 2006**

The meeting was called to order at 7:32 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.

Jim Brownlow stated that this evening's meeting would be split into two meetings. The first part will be a regular meeting with the Board taking action and will allow for public comment before and after discussions with adjournment, followed by a work session. For the record it was stated that an executive session was held prior to this evening's meeting on personnel matters and following this evening's meeting another executive session would be held to discuss personnel matters. Jim Brownlow stated that there are two items on the agenda and solicited any public comment on the agenda items.

PUBLIC COMMENT ON AGENDA ITEMS

Charlie Mease stated that when he was on the BOS in 1996, Haines & Kibblehouse had pledged a number of tons of asphalt to be given to the Township and he wanted to know why we are not using the pledged amount. Jim Brownlow stated that he would respond to this comment when the board discusses the agenda item.

Hans Reimann asked if the board would be approving the minutes from the last official meeting. Jim Brownlow stated that the minutes from the last official meeting will be approved at the next official meeting.

Ann Dunlap questioned the need to appoint a Treasurer when it was her understanding that a new manager was hired and that was part of his job. Jim Brownlow explained that in the budgeting process a Secretary-Treasurer position was allotted for and that they hired Richard Schilling to be Township Manager/Secretary. Ann Dunlap responded that a large part of the Manager duties are financial in nature and that according to the second class code the Manager must be bonded and is the Township going to absorb the expense for bonding two people? Jim Brownlow states that it is an expense but not a great expense. Ann Dunlap responded that it looks like we are going to spend more money than once thought.

Charles Mease questioned the job description of the Township Manager to which Jim Brownlow responded that the Board approved an official job description for the position of Township Manager in a Resolution. It was further stated by Jim Brownlow that the job description that was adopted was the basis for the agreement in hiring Richard Schilling.

NEW BUSINESS

- (1) Wearing Course Bids - Jim Brownlow stated in reference to Charlie Mease earlier statements that the Township received only one bid from Haines & Kibblehouse (Coopersburg Asphalt Division) for 500 tons of ID-2 wearing course material. @ \$38 per ton, 100 tons of ID-3 wearing course material @ \$35.50 per ton, 75 tons of high performance cold patch @ \$82.00 per ton for a grand total of \$28,700.00 and that the bid was duly advertised and was reviewed by the Townships Engineer. Richard Schilling asked if the funds were coming from liquid fuels or the general Fund and the Board believed that the funding could be liquid fuels. Richard Schilling then relayed that under liquid fuels the ID-2 material is not an authorized purchase and if submitted under liquid fuels it would be rejected.

Chuck Halderman asked Jim Hopkins for insight in the donation of paving materials from Haines & Kibblehouse. Jim Hopkins explained that the donation was for 300 tons of asphalt per year every year. Jim Brownlow stated that we should find the funding source the Board felt that it was better to hold off on the bid until the next meeting and to find out if the Township has used the donation.

Chuck Halderman moved to table the bid award until next meeting. Second by Rob Zisko. Vote was unanimous.

- (2) Appoint Treasurer – Jim Brownlow stated that the Board had received a letter of resignation from Barbara Smith effective 31 March 2006. Jim Brownlow asked for a motion to accept the resignation of Barbara Smith but the motion should reflect the 17 years of dedicated service to the residents and all the contributions that Barbara made to Springfield Township.

Rob Zisko moved to accept the letter of resignation from Barbara Smith along with the acknowledgement that Jim Brownlow spoke of. Second by Jim Brownlow. Vote was 4 – YES. Karen Bedics abstained.

Jim Brownlow moved to appoint Sandy Everitt Treasurer for the Township on an interim basis and to direct the Township Manager to advertise the position of Secretary/Treasurer for a permanent solution. The interim appointment would be effective 1 April 2006. Second by Chuck Halderman. Karen Bedics stated that she along with other Board members tried to talk Barbara Smith in reconsidering her resignation but that Barbara was adamant about her decision to resign. The Board is not making this decision because they want to, but because they are forced to because Barbara has chosen to leave and that the Township needs a Treasurer. Jim Brownlow stated that along with the earlier discussion of the Township Manager's responsibilities, it makes sense from a checks and balance standpoint that the same person that authorizes purchases and expenditures not be allowed to sign the checks. This was the discussion during the budgeting process and that is why the split is taking place.

Ann Dunlap questioned whether a secretary's background would qualify to take over the handling of the Townships finances. Jim Brownlow stated that the Treasurer and

Manager will both be bonded and reiterated that the appointment of Treasurer was an interim fix until a permanent solution was found. Jim Brownlow asked if there was any further discussion needed and receiving no response called for the vote on the motion. Motion passed 4-1. Rod Wieder voted NO.

Karen Bedics moved to have the financial books audited by the Township Auditors from the date of the last audit through 31 March 2006. Second by Rob Zisko. Vote was unanimous.

PUBLIC COMMENT

Pete Lamana stated that he was here to speak on the behalf of Barbara Smith and that Barbara has served the Township for 17 years and that no one has ever questioned her ability or her integrity until the last meeting and referred to the actions of Chuck Halderman at the last meeting. This was not the first time that Barbara was put in this position. Nine years ago the same type of allegation arose by then BOS member Jim Hopkins. Banter then ensued between Pete Lamana and Jim Hopkins. Jim Brownlow called for order. Pete Lamana stated that Jim Hopkins was cited by the ethics committee and where this is all leading us to he is not sure but he knows that we lost a decent and very honest person.

Mrs. Sullivan read a letter that was addressed to Mr. Reshetar (with copies to the BOS, Planning Commission Chairperson and the Bucks County Board of Health) from Andrew and Brenda Kalata expressing concerns dealing with well water contamination that happened in the past due to a liquid fertilizer that was applied before the planting of corn. The only option that they had was to dig a new well, which they did. The letter stated that the Kalatas' are very concerned that there may be a reoccurrence of well water contamination from the septic systems for the 20 homes that are slated to be built on this same land. While the Springtown Knoll homes will have their water supplied by a public water system and be immune from contamination, the wells of surrounding properties will be vulnerable. The question that is asked in the letter is "that if there is future contamination of our well water from sewage of these septic systems, where will the liability lie"? The letter went on to say that "Hopefully, this issue can be readdressed to avoid future health and legal issues".

Chuck Halderman said that he is checking with a geologist to see if we can do a nitrate study and that he was going to bring it to the Board at the next meeting to do an assessment. He asked the Sullivan's how close they are located to the site. The Sullivan's answered approximately 75-100 feet based upon tax map info. Chuck Halderman then asked if "we can test your well and water and some of the neighbors to do base line assessment of what we have there in regards to nitrates and we can study it with the impact of a new development". Jim Brownlow stated that as a point of order, Chuck Halderman is speaking for Chuck Halderman and not the Board, but that he can bring whatever he wants before the Board. Chuck Halderman agreed that this was the case. Rob Zisko asked Mrs. Sullivan what size the lot was and if her parent's lot was on lot well and sewage to which Mrs. Sullivan answered 4.25 acres and, yes, on lot well and septic. Karen Bedics read a letter that was addressed to the Board from her.

Dear Fellow Board Members,

After giving careful thought to the past incident of well contamination that occurred in 2002 near the location of Springtown Knoll, because of the underlying carbonate geology, karst formations, and the proximity of a Cook's creek tributary on the border of this development, I would like to ask the board to consider taking the following precautions to help to limit our township's risks and liability in the event of well or groundwater contamination, sinkholes, or accidental injuries from falls. The board may wish to discuss these items and decide to vote on them at a future regular meeting:

1. The township shall ask Scott Douglas and EAC committee to do baseline water testing of the tributary stream bordering the development before construction commences, and afterward monitor this stream by doing 3-4 testings per year to alert the township to any possible contaminations from seepage.
2. The supervisors should ask our solicitor to send a request to Mr. Reshetar to have him submit to the township the following two signed documents from each homebuyer:
 - a. A signed statement from each home buyer acknowledging that they are aware they are choosing to build a home on an area of carbonate geology. The letter should also explain to the homeowners what exactly carbonate geology is, and what the implications may be in having structures and septic tanks installed on this type of geology.
 - b. Secondly, a document from each homeowner acknowledging that they are participants in a sewage maintenance agreement and that the township hereby requires them to submit proof that they have had their septic systems pumped out every 2 years and will promptly repair any malfunctions in the systems, because of the risk of groundwater, well or stream contamination.

In the event that Mr. Reshetar will not provide the two above signed documents from the homeowners, perhaps the township can seek a way that we may require these documents directly from the home buyers. These matters to be addressed by the solicitor.

2. The township shall request Mr. Reshetar to install protective fencing on the rear southeast portion of the property, to help prevent dangerous safety situations presented by the top of the quarry located near the development. If Mr. Reshetar refuses to do so, then the twp may need to contact the owners of the quarry property to make safeguards.
3. The Board should request a copy of the transcripts, at our cost, of the 3/14/06 BOS meeting from Mr. Reshetar's attorney, so that we may retain this copy for our own records.

I ask my fellow board members to seriously consider and investigate taking these steps to protect the township and our citizens from any possible future liability from sinkage or groundwater contamination resulting from this development.

Respectfully Submitted,
Karen Bedics
3/28/06

Jim Brownlow stated that he thought that this letter was worthy for the Solicitor to review.

Hans Reimann asked if the transcripts that were taken at the 14 March 2006 meeting would be reflected in the Township minutes or independent of the Township minutes. Jim Brownlow said that the Stenographer was contracted by Mr. Reshetar but we could ask the Solicitor if we could obtain a copy.

There was no further public comment.

SUPERVISORS COMMENTS

Rod Wieder read a letter from Pete Lamana that was sent to the Board on 13 December. The letter indicated that Mr. Lamana voted his conscience and the bashing that he received from a Board member.

Jim Brownlow moved to send the letter from Karen Bedics to the Township Solicitor for his review. Second by Chuck Halderman. Vote was 4-YES. Rod Wieder voted NO.

ADJOURNMENT

Rob Zisko moved for adjournment of the regular meeting at 9:02pm. Second by Rod Wieder. Vote was unanimous.

Respectfully Submitted

Richard H. Schilling
Township Manager/Secretary