

Board of Supervisors

MINUTES

April 26, 2011

Barbara Lindtner, Chairperson, called the meeting to order at 7:30 p.m. and opened with the Pledge of Allegiance. The Board held an Executive Session prior to the meeting to discuss litigation and real estate matters.

Supervisors Present: Karen Bedics, Barbara Lindtner, Dave Long, Volker Oakey and Rob Zisko.

Also present: Terry Clemons, Solicitor (left at 9:50 p.m.); Sandy Everitt, Township Secretary/Treasurer; Rich Schilling, Township Manager and Bob Wynn, Township Engineer (left at 9:50 p.m.).

Approval of Minutes

Karen Bedics moved to adopt the March 22, 2011, minutes as presented. Volker Oakey seconded. Voting yes: Karen Bedics, Barbara Lindtner, Dave Long, Volker Oakey. Abstaining: Rob Zisko. The motion passed.

Bills for Approval

Rob Zisko moved to approve the following bills paid from March 18 – April 21, 2011:

1. General Fund	\$ 27,869.24	4. Subdivision & Escrow Funds	\$ 2,633.96
2. Liquid Fuels	\$ 4,842.75	5. Open Space EIT Fund	\$ 9,846.95
3. Special Fees Fund	\$ 2,403.28		

Karen Bedics seconded; the motion passed unanimously.

Reports

Road Department – Posted.

Police Department – The police handled a number of thefts in March. Karen noted that an accident occurred at Pleasant View Road and Richlandtown Pike. She said that a pine tree branch was obscuring sight distance on the property on the left-hand corner before entering Richlandtown Pike from Pleasant View Road. Rich Schilling will have the police chief contact PennDOT about this. Karen also noticed a number of ‘lost dog’ signs in various locations, some affecting sight distance, which had been up for some time. Rich Schilling will also check into removing signs that are obstructing sight distance.

Treasurer’s Report – Sandy Everitt presented several items requiring Board action. Two involved litigation issues where caps on what could be paid from escrow accounts were established as part of the litigation settlement. In both situations, the actual costs exceeded the cap amounts. Rich Schilling requested that in the future, settlement escrow caps should be more realistic.

Rob Zisko moved to authorize a \$2,742.15 reimbursement of the subdivision account from the Highway Capital Improvement Fund contribution made by McArdle. Barbara Lindtner seconded; the motion passed unanimously.

Barbara Lindtner moved to authorize a \$28,382.59 reimbursement of the Highway Capital Improvement Fund from the Liquid Fuels account for liquid fuels bills paid from Highway Capital prior to receiving this year’s liquid fuels funding. Rob Zisko seconded; the motion passed unanimously.

Barbara Lindtner moved to authorize payment of \$2,571.45 from Open Space Funds to the Rolling Hills escrow account for charges paid from escrow that were associated with the conservation easement. Karen Bedics seconded; the motion passed unanimously. This was the second escrow account with a cap placed upon what could be paid as part of a litigation agreement. The escrow account still has a negative balance of \$3,234.22, but how to cover this negative balance is deferred until a later date.

Finally, the township eNews covering various recycling options is ready to go out to the residents. The supervisors gave their approval and the eNews will go out next week.

Township Manager – Rich Schilling and Rich Pursell met with PennDOT representatives about the Route 412 narrow bridge replacement. Work will begin in late 2011 and the bridge may be closed for one year. PennDOT detours require the use of state

roads. The Board is concerned about the detour route and requested Rich Schilling to have PennDOT representatives attend a future meeting to discuss the detour options.

The township received notice from Senator Mensch's office that DEP is almost finished reviewing our Act 537 plan and they expect that we will be in the 2012-2013 budget payment. The township is 23rd in the list of those anticipating reimbursement. Funding could be received anytime after June 2011, which is when DEP's fiscal year and their new budget begins.

Rich is reviewing costs for upgrading the municipal building's lights and will also be obtaining bids to replace the flat, garage roof.

Public Comments on Agenda Items – None

Governmental Matters

Senators are considering SB 283 that would amend the Second Class Township Code to increase the dollar amount from \$10,000 to \$25,000 before townships would need to advertise and receive bids for purchases and/or contracts. The telephone quote requirement would be increased to any amount between \$7,000 and \$25,000. However, PSATS advised the township today that some senators are considering amending this bill to mandate that all township purchases under \$25,000 would have to be posted on the township's website and in a conspicuous place within the township for 14 business days prior to obtaining any bid or price quotes. PSATS is asking municipalities to contact their legislators about this. Rob Zisko moved to authorize Rich to send a letter on behalf of the Board asking our senator to support SB 283 and the other bid bills as they are currently written. Karen Bedics seconded; the motion passed unanimously.

The township received a letter from Senator Charles McIlhinney advising that the amendment to the PA Construction Code requiring residential sprinkler systems for homes built after January 1, 2011, was repealed.

Planning Matters

Springtown Knoll – Robin Reshetar responded to the solicitor's letter dated March 28, 2011, requiring them to clean up the Springtown Knoll site. He indicated that the site was cleaned last summer and that the current debris is from residents. Bob Wynn stated that most of the debris was on the site last summer. However, most of the debris was removed as of April 22, 2011. Barbara Lindtner moved to authorize Bob Wynn to send a second letter requiring complete cleanup of the site. Volker Oakey seconded; the motion passed unanimously.

Brian Lloyd Subdivision – This 2005 3-lot subdivision is located on Salem Road. A letter of credit for \$25,740.67 is currently in place for improvements not yet completed, mostly on Lot 2. Heather Lloyd is requesting that the township release the letter of credit, since she does not plan to sell or do any construction on Lot 2, the only undeveloped lot in the subdivision. A new escrow would be required for the improvements on Lot 2 if it was sold or built upon in the future. However, the road shoulder stabilization along Salem Road in front of Lot 2 would not be covered in the escrow required in the future from whomever develops Lot 2. Bob Wynn suggested that a capital contribution of \$4,400 be required from Mrs. Lloyd as well as covering township costs before authorizing the release of the letter of credit. Karen Bedics moved that the applicant be required to make a contribution to the Highway Capital Improvement fund of \$4,400 to cover stabilization of the shoulder of Salem Road and pay township costs prior to authorizing the release of the letter of credit. Barbara Lindtner seconded; the motion passed unanimously.

Fisher/Snider Stormwater Improvement Escrow – This storm water improvement escrow of \$15,680.26 was established in 2004 by Frederick Fisher and his wife Kathleen Snider for Lot 2 of the Dunlap subdivision on Walnut Lane. They do not plan to build on this lot and have requested that this escrow be returned to them. Bob Wynn also noted that the storm water improvements on this plan do not conform to current township regulations and because it has exceeded the 2-year limit, they would have to meet current regulations. Rob Zisko moved to refund the storm water escrow less any costs incurred by the township. Dave Long seconded; the motion passed unanimously.

Old Business

1. **Appointment to Environmental Advisory Council** – Bill Boyle submitted a letter requesting reappointment to the EAC. Karen Bedics moved to reappoint Bill Boyle to the EAC for a 3-year term. Volker Oakey seconded.
2. **Review of Draft SALDO** – The Board began their review on page 5-12, Section 510, *Street Alignment*. There were no changes made to Sections 510 – 515. On page 5-31, Section 516, Item 6, B, it was the consensus of the Board to change (1) to read:

(1) On land to be occupied by a building or structure and within ~~thirty (30)~~ **forty (40)** feet of all sides of a building or structure.

No changes were made to Sections 517 through 519. Bob Wynn will rewrite Section 520, 2, *Private Individual Water Supply and Distribution Systems* (wells) to incorporate the new Bucks County well regulations and email the rewritten section for Board review prior to the next meeting.

Discussion will begin at Section 521, *Sanitary Sewage Disposal*, at the May 24 meeting.

New Business (early discussion of Item 2 to permit consultants to leave)

2. **Request from Resident for Stormwater Management Waiver** – Mr. & Mrs. Winfield Hill, Springtown, requested a waiver from the requirements of installing a storm water management system in their letter to the Board received by the township on March 31, 2011. They were not in agreement with many of the conditions listed in the Standard Stormwater Facilities Maintenance and Monitoring Agreement that they received from the township solicitor. Bob Wynn said that the Hills qualify for exemption from the rate control, but because they are in an exceptional value watershed, they must meet the water quality requirements.

Terry will revise the Operation & Maintenance Agreement to state that the township will not give the Hills notice of repairs and/or improvements needed and give them an opportunity to correct the problem. If the correction is not made, the township would then do the required work. The Board directed Terry Clemons to respond to the Hills with the amended agreement.

Old Business (continued)

3. **Hold Well Owners Classes at Municipal Building** – Barbara Lindtner moved to approve Karen Bedics holding three seminar sessions at the Municipal Building on June 8, 15 and 22 (Wednesdays), 2011, from 7 – 9 p.m. Dave Long seconded; the motion passed unanimously. Karen noted that the courses build upon each other, but that people can attend any or all of the sessions. She will provide agendas for each session so that people will know what will be covered.

New Business (continued)

1. **Appointment of Representative for the Quakertown Rail Restoration Project** – Rob Zisko moved to appoint Jim Hopkins as the township's representative for the Quakertown Rail Restoration Project. Karen Bedics seconded; the motion passed unanimously.

2. (Covered earlier in meeting)

3. **Road Department Request to purchase New Cutting Edge for Loader** – Barbara Lindtner moved to approve the purchase of a cutting edge for the loader at a cost of up to \$1,200 to be paid from Liquid Fuels. Karen Bedics seconded; the motion passed unanimously.

4. **Route 412 Bridge Project** (discussed in Township Manager's report)

5. **Draft Ordinance Concerning Oil & Gas Drilling** – Tabled

Public Comments - None

Supervisors Comments

Karen Bedics provided a *Summary of Job Creation Ad Hoc Meetings* for the Board to review. The Ad Hoc group will continue to meet and review the Zoning Ordinance.

Adjournment

At 9:55 p.m., Rob Zisko moved to adjourn the meeting. Karen Bedics seconded; the motion passed unanimously.

Respectfully submitted,

Sandra L. Everitt
Township Secretary

Next meeting: May 24, 2011
Approved: May 24, 2011