

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

(Meeting was held in the Social Hall of Springtown Fire Company, 3010 Route 212, Springtown, PA)

### **MINUTES**

May 22, 2007

The meeting was called to order at 7:36 p.m. by Chairman Jim Brownlow and opened with the Pledge of Allegiance.

**Present:** Supervisors: Karen Bedics, Jim Brownlow, Chuck Halderman, Rod Wieder and Rob Zisko. Also present: Terry Clemons, Solicitor; Sandy Everitt, Secretary/Treasurer; Rich Schilling, Township Manager; Bob Wynn, Township Engineer.

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

### **Minutes**

Rod Wieder **moved** to accept the minutes of the April 24, 2007, meeting as presented. Karen Bedics **seconded**; voting **Yes**: Karen Bedics, Jim Brownlow, Chuck Halderman, Rod Wieder. Rob Zisko **abstained**. The motion **passed**.

### **Approval of Bills**

Chuck Halderman **moved** to accept the bills (\$34,720.20) for payment as listed on the May 9 – May 22, 2007, bills list. Rob Zisko **seconded**; the motion **passed** unanimously.

### **Public Comments on Rolling Hills Request for revision to Act 537 Plan**

Terry Clemons commented on the first item, the request from the developer of the proposed Rolling Hills Subdivision for the Township to approve a revision of its Act 537 Plan which deals with wastewater disposal. In the area where the proposed Rolling Hills Subdivision will be located on Slifer Valley and Old Bethlehem Roads, the Township's Act 537 Plan calls for individual, on-lot sewage disposal. The applicant has filed a Planning Module requesting that the Act 537 Plan be revised to permit a Community Wastewater Treatment (packaged treatment plant) on the property to treat the sewage from the proposed 35 homes in a clustered development (which is permitted in the High Priority Zoning Ordinance). The treated effluent would then be distributed by a drip irrigation system, which is an underground distribution system.

As part of the Planning Module process, the DEP requires that the public be invited to comment on the proposed revision. Therefore, Terry noted that comments made by the public at this meeting need to be related to the applicant's request for a revision to the Act 537 to permit a community treatment facility (as opposed to individual, on-lot sewage disposal systems).

Terry indicated that citizens' comments would be shared with DEP and with the Board of Supervisors. However, before the Board makes a final decision, the Planning Commission will review the request at their June 6, 2007, meeting. He noted that there is a 60-day time period during which all comments must be gathered. The Planning Commission will review this request from these and other perspectives:

- Is the proposal upon which the Community System is based in accordance with the Comprehensive Plan?
- Is it consistent with the use, development and protection of water resources?
- Is it consistent with municipal land use planning relative to prime agricultural land preservation?
- Does the project propose encroachments into wetlands?

- Is the proposal consistent with the Township's Zoning Ordinance?
- Does the proposal require a change or variance from the Zoning Ordinance?
- Does the proposal comply with the Township's Subdivision and Land Development Ordinance?

Following input from the Planning Commission, the Board of Supervisors will be voting at their meeting in June whether to approve or reject Rolling Hill's request for a revision to the Act 537 Plan. There are criteria that the Board must use to evaluate the request, including issues such as whether there are ongoing studies that will impact upon this. Terry noted there were other agencies reviewing this request such as the Bucks County Planning Commission, the Archaeological and Historic Commission, the Bucks County Board of Health and that this meeting gives an opportunity for the public to give their comments.

Citizens who had signed up to make comments were permitted to comment first.

**Ray Janus** – Mr. Janus noted that the Township's Act 537 Plan is out of date and should be updated, including a full and open public discussion period, before any decision is made on this project.

**Cooks Creek Watershed Association - Scott Douglas** spoke on behalf of the Board of Directors of the Cooks Creek Watershed Association, Scott presented a letter to each Board Member and highlighted verbally the concerns of his Association from this letter.

- Although the sewage option selected by the developer is permitted in the zoning ordinance, it is not consistent with the current Act 537 plan, which does not permit the type of system being requested in an agricultural area. The Planning Commission recently reviewed the Act 537 Plan and recommended to the Board of Supervisors that the Plan be updated. The Board has agreed that this process is necessary, but the revision process has not yet begun. CCWA is concerned that granting this request would be changing the Act 537 without input from all citizens. Changing the Act 537 now would be without any consideration of ramification to taxes, water quality, land use patterns, types of package plans that are desirable or resulting density of development. Scott noted that once such an allowance is granted, it will set a precedent for other developers to request such a revision.
- They are concerned about the Township's preparedness regarding any kind of community system. There has been no technical discussion about what community systems would look like, how they should be designed and constructed, how they should perform, etc. They feel approving such a plan at this point would basically be letting the developer tell the Township what they want to do.
- There are 3 basic ways in which these systems can be operated: 1) by a Homeowner's Association – the County does not recommend this method; 2) by the Township – the Township does not have a Sewage Department, 3) by an outside agency – either an agency gets formed or an existing agency (such as Bucks County Water & Sewer Association) comes in. The CCWA supports local control of all public utilities in order to best protect the Watershed.
- Nitrates, which come mostly from septic systems, are the main pollutant of concern for the Watershed. If systems are properly installed, operated and maintained, pollution can be avoided. However, this project proposes a very large septic field which the applicant's submission states will be "treated to the existing minimum standard." They do not address measuring nitrates that are currently under the property or in the surface water; nor have they predicted whether or not nitrates will end up in the surface water. CCW is an exceptional value watershed and the law prohibits any change of the quality of the surface water. Should this request go forward, the developer should be requested to model the nitrate pollution in accordance with a DEP provided document that states how to design these systems to meet specific required standards.
- The CCWA strongly urged the Board not to consider an alteration of the Act 537 Plan as proposed, but rather, wait until the formal revision process of the Township's Act 537 Plan has taken place. Scott indicated there are other options available to the developer for this property that do not require a change to the Act 537 Plan.

**Scott Douglas** – As an individual taxpayer, Scott asked who was going to pay for this system. He noted the developer says they will install the system and the homeowners will pay for it. Recent news articles indicate that isn't the way it works out. The developer indicated that the cost to operate and maintain the system will be

\$1,730+/- per EDU (equivalent dwelling unit). Ultimately, the homeowners who purchase these properties cannot afford the cost and costs for repair and upkeep revert to the Township.

**Concerned Democrats of Springfield Township - Tina Shaffer** spoke representing the Concerned Democrats of Springfield Township, whose primary mission is promoting good, responsible government. The Rolling Hills request was discussed at a meeting held by the Concerned Democrats on May 21, 2007. The Executive Committee prepared a letter for presentation to the Township Manager expressing their organization's concerns about having packaged treatment systems in the Township. One of the ideas raised was placing a moratorium for a period of time on considering any package treatment systems.

**Joe Raynock** – Mr. Raynock feels that the Planning Module submitted by the applicant is incomplete according to DEP standards for development within the area of an exceptional value stream. He stated there was no mention of this within the Planning Module Rolling Hills submitted. He noted that DEP has specific guidelines about how cost analysis must be done. Mr. Raynock spoke with DEP several times recently and stated that the recommended fee across Pennsylvania is between \$3,000 and \$5,000 for a drip irrigation system, while the applicant is stating it will be \$1,730 +/- . Based on the DEP cost estimates, the annual cost could range between \$115,000 to \$400,000 per year to operate this system. He stated that one of the reasons DEP is now trying to have Townships take over all package septic plans is because within a 5 – 10 year period the systems fail. Although the developer is required to disclose to homeowners that they will be responsible for the cost of operating and maintaining the package system for the life of the system, subsequent sales of the home to new owners and escalating repair costs eventually bring the owner(s) to the Township indicating they cannot afford the cost to repair the system.

Another of Mr. Raynock's concerns relates to stormwater. Because this is a drip irrigation system and not spray irrigation, massive fields of little drip lines are planned, which he stated create a massive sand mound. Because of this design issue, there will be no room on the site for stormwater retention. Large stormwater underground boxes are proposed for each lot. When these boxes are infiltrated with clay soil (which is prevalent in this area) and they fail, in another 5 years there will be significant problems when both stormwater and sewage will empty into a swale which heads right into Cooks Creek. For this reason, he feels the proposed stormwater system is doomed to fail and the homeowners will be coming to the Township because their septic systems are not working. In this situation, DEP will come to the Township (not the developer) to correct the situation of septic and stormwater going into Cooks Creek which the Township will be required to fix. He stated that Plumstead Township has a system which has failed and Plumstead Township is now responsible for that system because the homeowners cannot afford to fix it. DEP is now recommending that Township's create special sewer districts in order to get approval for this. The Township then has the right to assess each homeowner an annual fee to cover operation and maintenance of the system.

Mr. Raynock also referred to the fact that this Planning Module did not list what the current nitrate or chemical levels are within that stream, which is required. Another missing component to the submitted planning module is an emergency remediation plan for an exceptional value stream, to include cost estimate, etc. In conclusion, he feels this Planning Module should be rejected as "incomplete."

Mr. Raynock offered to share the DEP document which he referred to that outlines that any sewage treatment plant built within an exceptional value or high quality stream must meet new, stricter criteria.

**Pat Raynock** – Pat reiterated the close association between the sewage system requested for this subdivision and the sensitivity of the site to stormwater. She feels that stormwater and sewage are intricately connected because of the design being promoted. Another concern is that the developer has proposed using underground micro-cell systems on each home site because there is no room for a water detention basin system. These are proposed to take care of the stormwater surges during heavy rains. In attempting to obtain more information on the micro-cell systems proposed, she found that they are manufactured in Australia. She was unable to obtain any cost-per-unit information on the cell systems. The information available alludes to the fact that the water can be retained and then re-circulated onsite under each of the lots. No information was available on how the systems are maintained.

**Bucks County Trout Unlimited - Dan Weaver** spoke on behalf of the organization. He re-emphasized the importance of the fact that Cooks Creek is an exceptional value stream. Trout Unlimited, the CCWA, and Durham and Lower Saucon Townships, have put many years of effort into protecting Cooks Creek, its tributaries and the entire watershed. He encouraged the Board to “do their homework” on appropriate sewage treatment in this watershed. He concluded by summarizing that this is a water quality issue and we all live “down stream.”

**Tom Cochrane** – Mr. Cochrane does not want to see 35 homes on public sewer. He is not in favor of the Township amending the Act 537 to allow denser housing in the Rolling Hills Subdivision. Public sewer will bring more developers and Pleasant Valley (where he lives) will need to be renamed “Clusterville.” He feels that the Township should proceed with the current decision to revise the Act 537 Plan and not amend it now for this development.

**Dennis Steskal** – Dennis feels that the \$1,730 +/- cost per EDU estimated by the developer is suspect. The system will need to be back flushed into a sludge holding tank which will need to be emptied 16 times per year. The developer estimates .09/gal. (\$300); Mr. Steskal feels a sludge hauler cannot be obtained for less than \$1,000, which is over three times the developer’s estimated cost. For this reason, Mr. Steskal feels the whole estimate of cost is suspect. He feels the Township will end up paying over \$100,000 per year.

**Bart Fleishman** – Mr. Fleishman’s farm is adjacent to the Rolling Hills property. He is curious whether the packaged septic system is proposed to be placed in the conservation area of the subdivision. If so, he felt part of the conditions of the conservation land was that no structures can be placed on that area, and he considers this system a “structure.” He feels the conservation area is for farming.

Second, some of his fields are adjacent to this subdivision, which is on ground higher than his property. Every time it rains, his fields are flooded from water runoff from the proposed subdivision. All the water coming from the proposed conservation area ends up in his two streams, which both flow directly into Cooks Creek. If there are contaminants coming from that septic system, they will flow directly into Cooks Creek.

**Ken Simmons** has been a resident of the Township for 26 years. He stated that residents of Springtown expect that the Township Supervisors and the plans that they put in place will protect the residents and help them to protect their interests. He feels that residents are not trying to “stop” development, but rather to “control” development. He feels that the necessary rules and regulations are in place in the Township, and he does not see any reason to grant waiver after waiver to a developer who does not live in Springfield and has no real interest in the area after his homes are finished. He feels that if the people of Springfield say “no” to such a development, that the answer should be “no” from the Supervisors.

**Ray Bodnar** stated this development is at the headwaters of Cooks Creek. The Township Comprehensive Plan requires a Cooks Creek Overlay. When the Planning Commission submitted the revised Zoning Ordinance to the Bucks County Planning Commission, the BCPC recommended that the Overlay should be included in the revised Zoning Ordinance. It is his understanding that the Planning Commission has placed an insert in the Zoning Ordinance that there will be a Cooks Creek overlay site, but that it will not be included at this time. Mr. Bodnar feels that since the Comprehensive Plan requires this study, and it has been completed, the Board cannot consider this developer’s application until this study is completed.

**Hans Reimann** is a 22-year resident of Springfield Township. He is opposed to accepting this amendment to the Act 537 Plan and he encouraged the Supervisors to reject this request. He recommends that the Township continue with their review of the Act 537 and let the process work itself out. He encouraged the community to stand behind the Supervisors as they tell the developer to conform with the current Act 537 Plan, increase the size of the lots (even if it means fewer homes because of the required Agricultural set-aside), and have on lot sewage systems.

**Joe Raynock** responded to comments made by others. In the Planning Module submitted, the EDUs are listed as 400 gallons. DEP rates these by the number of people who will occupy a home. DEP rates 400 gallon EDU as a 3-bedroom house. They also say in the report that they are anticipating 4.5 residents per home. This means that if you have a 3-bedroom home, that would mean there is a master bedroom and two children occupying the other rooms which is not the way families currently live. From reviewing the plans, the house footprints indicate that the homes

planned appear to be 5-bedroom homes. This means that the EDU capacity should be 600 gallons, not 400 gallons. This would require a 33% increase in the size of the drip irrigation.

Second, he affirmed how relevant the stormwater system is to the septic system. The only place that he could locate such as cell system (proposed for stormwater) was in Australia. Every reference that they used as an example of where this type of system works is in New South Wales. There is no example of this system being used in the United States. He feels that everything related to this development is “extreme,” like putting “10 pounds into a 5 pound bag” and the 5 pound bag has never been tested before.

Finally, referring to agricultural use of the conserved area, a drip irrigation system is not something that will lend itself to any agricultural use of the land. He stated that anything harvested off land where a drip irrigation system is in place can never be feed to animals or used for human consumption. He referred to Route 413, Creamery Road, where a huge spray irrigation system is in place, which is operated by Buckingham Township. It looks like a golf course; nobody farms it or does anything with it. He stated it cannot be used for hay, because all the heavy metals get absorbed into the hay, and by PA Regulations, this hay cannot be fed to cows. He does not see how the conserved area can be considered an agricultural area.

**Steven Donovan** – Karen Bedics read an email received from Mr. Donovan stating that if there are fewer than 70 – 80 homes being served by a packaged sewage plan, it is too small to be economically viable. For a development of 35 homes, it would simply be a matter of time before the Township would have to take ownership because the homeowners could not afford the cost. Once the Township owns the system, they would own it forever. He stated the Rolling Hills request should only be granted if the Township wants to maintain and cover any liability for any malfunctions of the system. Mr. Donovan pointed out that when malfunctions occur, they can be expensive to remedy, and there are expensive fines to pay. An example he cited was the Great Wolf Lodge in the Poconos. The DEP imposed an \$800,000 fine on the resort after citing it on three separate occasions. Even properly functioning package plans do not capture all caustic compounds. He concludes that discharge of these pollutants of concern does not meet the stewardship commitment of the Lower Delaware Wild and Scenic River Management Plan to maintain water quality. He feels it would be best to push for on lot disposal of the treated water rather than stream discharge, which would mitigate some of the concerns he listed, but he stated the Township would still end up owning and running the system.

**Karen Bedics** expressed personal concern about the ability of the soil to maintain the flow of the sewage. She received information from Kent Littlefield (SAIC) that indicated they have a report from DelVal Soils saying that the soils on the property have poor limitations, are poorly drained, are overlying shallow bedrock, and have low permeability. The discrepancy that Karen noted was that in the report the Township received from DelVal Soils, the soil types were not listed, but they state that the drainage class is “deep and well drained.” She is uncertain which soil description is accurate—SAIC’s or DelVal’s. Karen also spoke to the issue of maintenance costs. She noted that the projected cost for the electricity to maintain the package plan was \$7,500 per year. With the projected 30% increase in electric costs over the next few years, that will increase this annual electrical cost. Karen broke down the cost to maintain the system, and it came to \$143 per household, per month. As a homeowner, Karen would not be willing to pay \$143 per month for sewage disposal.

**Bart Fleishman** – Mr. Fleishman stated that when there is a heavy rain, the soil on the proposed Rolling Hills tract does not absorb the water. All of the water runs off onto his property. He suggested that if the Supervisors were to walk the property after a rainstorm, they would see that the water is still sitting for days, because the soil has very poor absorption.

**Patrice Ryan** – Patrice lives next to the proposed subdivision. She offered to provide photographs to the Supervisors that show that the soil does not accept water. She has lived on her current property for 21 years, and during heavy rains over the past 10 years, water flows off the Rolling Hills property, across her driveway (ripping up her driveway), destroying and breaking through her pond and going into the next pond which flows into a tributary of Cooks Creek. People who would have homes along her property line would have floating basements. Her basement floods in every heavy rain.

## **Public Comments on the Townships Act 537 Plan Revision**

**Alex Bodian** – Mr. Bodian asked if there was a schedule in place for the Act 537 revision process. Jim Brownlow indicated there was not, but that the process will begin later in this meeting when discussion is held about the RFP applicants.

### **Public Comments on Agenda Items**

**Hans Reimann** – Hans questioned the Britt Forestry escrow return listed as the second item of Old Business. Hans felt that because this homeowner started a commercial logging operation in a conservation easement area without a permit, the Township should determine if any of the trees were sold and subtract the amount that the owner made from the sale of trees from the escrow that is refunded.

### **Planning Matters**

**Spear Products Land Development (Springfield Street)** – Bob Wynn indicated that the Planning Commission is recommending that the Supervisors grant final approval for this Land Development Plan conditioned upon satisfactory completion of items listed in the April 23, 2007, engineering review.

Scott Mease, Mease Engineering PC, gave an overview of this plan. The property is 14 acres in size and is located on Springfield Street in the Planned Industrial (PI) District. The property is currently vacant and Spear Products plans to construct a 12,000 square foot manufacturing building.

Jim Brownlow **moved** that conditional final approval be granted to Spear Products Land Development subject to satisfactory completion of the outstanding items listed in the April 23, 2007, engineering review letter. Rod Wieder **seconded**; the motion **passed** unanimously.

**Rolling Hills Subdivision Proposed Community & Water Facilities** – Terry Clemons indicated that this request involves two issues. First, a letter was received this afternoon regarding a well drilling permit that was requested to permit the applicant to evaluate the availability of water to supply the proposed subdivision. Terry Clemons indicated that this permit should be issued to the applicant.

Second, a letter dated May 8, 2007, was received from Fox Rothschild LLP, attorneys for the applicant, requesting whether the Township would be interested in accepting dedication of the proposed community sewer and water facilities. Terry suggested that in order to permit time to consider evaluation of the maintenance costs and other issues raised earlier in the meeting, he did not feel the Township was in a position to make a decision on this matter. Terry will correspond with Attorney Gundlach advising him that more time is needed before a decision can be made.

Kim Freimuth, Fox Rothschild LLP; and Jamie Sundermier, DelVal Soil & Environmental Consultants, Inc.; were present and requested permission to respond to public comments made earlier. It was determined that the public comment period for the Rolling Hills Act 537 Revision request was closed. Terry Clemons stated that their comments would be more appropriate for presentation to the Planning Commission at their June 6, 2007, meeting.

Kim asked that her agency (Fox Rothschild) be informed if additional information is needed. Terry indicated that the comments shared by residents at this meeting would be shared with Fox Rothschild and DelVal when they are completed. Jim Brownlow also noted that our solicitor would send a letter advising the applicant of issues of concern in the Planning Module.

## Old Business

**1. Ordinance regarding Multiple Pending Subdivisions** – Terry Clemons indicated that there are some concerns in the proposed ordinance that he feels need to be re-examined before this ordinance is passed. For example, Bucks County Planning Commission made several suggestions for changes they felt might be needed. For this reason, Chuck Halderman **moved** to table action on this ordinance until it can be discussed more fully at a later time. Karen Bedics **seconded**; the motion **passed** unanimously.

**2. Britt Forestry Escrow Return** – Rich Schilling clarified that the request for escrow refund was actually from Heacock Lumber, who was the contractor employed to do the logging on the Britt property (which never took place). The Board was given a letter from Heacock Lumber dated March 19, 2007, requesting the return of their escrow. Engineering and legal fees associated with this project were deducted from the check given by Heacock Lumber, which was established to ensure that roads were not damaged as a result of the logging operation.

Karen Bedics questioned Bob Wynn about damage done to the wetlands on the property because Heacock Lumber had not followed the correct procedure. The Company acknowledged that their operator made a mistake which resulted in some damage. Karen asked if the escrow should be returned, since this damage had occurred. Terry Clemons indicated that if the escrow was specifically set aside for road damage, this would not cover the wetland damage. Terry indicated that the earlier minutes indicated the applicant had given permission for escrow funds to cover the cost of having the Township Engineer review logging activity on his property. Rich Schilling indicated that he had pointed out in the earlier meeting when Mr. Britt gave permission to use the escrow funds that the funds in escrow did not belong to Mr. Britt, but rather, belonged to Heacock Lumber. Jim Brownlow noted that the same minutes would also reflect that Heacock Lumber began logging before they had a permit in hand to do logging.

Karen Bedics asked Bob Wynn if the damage to the wetlands was permanent. Bob Wynn indicated that the damage was temporary, not permanent, and that Heacock had stopped the lumbering and on his most recent visit to the property (one month ago), no logs had been removed from the property.

Karen Bedics **moved** to authorize Terry Clemons to send a letter to both Heacock Lumber and Mr. Britt regarding disposition and return of the escrow funds. Rod Wieder **seconded**. Terry Clemons feels that Heacock Lumber and Mr. Britt are one and the same as far as the escrow funds are determined. Jim called for the question. The motion **passed** unanimously.

Rob Zisko **moved** that the escrow funds not be returned to Heacock Lumber, but rather the remaining funds should be deposited into the Open Space Fund. Karen Bedics **seconded** the motion. Terry does not feel there is a legal basis to withhold returning the escrow funds to Heacock Lumber, because they were specified for use if road damage occurred. Rob Zisko **withdrew** his motion.

Jim Brownlow **moved** that the escrow balance of \$1,421.27 be returned to Heacock Lumber. Chuck Halderman **seconded**; the motion **passed** unanimously. No additional legal fees are to be deducted from the escrow.

## New Business

**1. Resolution regarding Resignation of Chief Scott Huber** – As a result of receiving a letter of resignation from Scott Huber, the Board executed a separation agreement which was mutually agreed upon by Chief Huber and the Board. This agreement includes payment of unused vacation and personal time and continuation of individual medical benefits for Chief Huber for six months, and will go into effect tonight, if the resolution is passed.

Jim read Resolution 2007-010 regarding accepting Chief Scott Huber's resignation and providing for execution of the Separation Agreement:

**WHEREAS**, Springfield Township received a letter of resignation for Chief of Police, Scott M. Huber;  
**WHEREAS**, Springfield Township AND Chief Scott M. Huber have negotiated a Separation Agreement in the best interest of both parties that provides for a general release of all claims against the Township and

provides Scott M. Huber with a severance package which includes pay for accumulated time and continued benefits; and

**WHEREAS**, The Board of Supervisors of Springfield Township determines that it is financially prudent and in the best interest of the Township to execute the Separation Agreement.

**NOW THEREFORE BE IT RESOLVED AND ENACTED** as follows:

1. The Springfield Township Board of Supervisors hereby accepts Scott M. Huber's tender of resignation.
2. Further, the Board of Supervisors authorizes the Chairman acting on the Township's behalf to execute the Separation Agreement (copy attached hereto) which defines the terms of Scott M. Huber's separation from employment.

Karen Bedics **moved** to pass Resolution 2007-010 accepting Scott Huber's resignation. Chuck Halderman **seconded**; the motion **passed** unanimously.

Jim Brownlow **moved** to appoint Officer Mark Laudenslager as Officer in Charge of the Police Department in the interim until a decision is made about the direction in which to take in the Police Department. Rob Zisko **seconded**; the motion **passed** unanimously.

Jim Brownlow **moved** to authorize advertising for two part-time police officers that were provided for in the 2007 budget. Rod Wieder **seconded**; the motion **passed** unanimously.

**2. Act 537 RFP** – Bob Wynn indicated that, at the direction of the Board, Rich Schilling, Bobb Carson and he met with DEP and following that meeting, he drafted a request for a comprehensive Act 537 Plan update. The RFP includes the provisions for revision that were prepared by the study committee that was authorized by the Board and also the requirements for plan preparation required by DEP. Bob requested permission to send the RFP out to various companies to submit proposals.

Rob Zisko **moved** to authorize Bob Wynn to send out the Act 537 RFPs. Rod Wieder **seconded**; the motion **passed** unanimously.

**3. Resignation of Walter Dearden, Zoning Hearing Board Chairman – Appointment of Replacement:**

Jim Brownlow noted that Walt has been a member of the Zoning Hearing Board for 14 years, currently serving as chairman. Walt has accepted a part-time position as Assistant Zoning officer with the Township, and can therefore no longer serve on the Zoning Hearing Board.

Rod Wieder **moved** to accept Walt Dearden's letter of resignation with gratitude for service rendered. Rob Zisko **seconded**; the motion **passed** unanimously.

Jim Brownlow indicated that Rich Schilling, Township Manager, had discussed with David Reitz, currently an alternate on the Zoning Hearing Board, about his interest in filling the unexpired term of Walt Dearden and he had indicated his interest in completing the term.

Jim Brownlow **moved** to appoint David Reitz to fill the unexpired term of Walt Dearden, which ends December 31, 2008. Rob Zisko **seconded**. Chuck Halderman suggested that the Township should advertise for someone who has experience for the position rather than filling it with an alternate. Jim called for the question. Voting **Yes**: Jim Brownlow, Rod Wieder, Rob Zisko. Voting **No**: Karen Bedics, Chuck Halderman.

Jim Brownlow **moved** that the Township advertise for a Zoning Hearing Board alternate to complete the term for David Reitz which will expire December 31, 2007. Rod Wieder **seconded**; the motion **passed** unanimously.

**4. Copier Replacement** – Rich Schilling indicated that the copier lease will expire in November. He said quotes were obtained from Canon, Toshiba and Ricoh to replace the copier with a color copier that can also fold and saddle stitch. The lowest quote was from Ricoh, who also will pay off the remaining months of our current lease.

The color function can be controlled so that only authorized users can run color copies unless individuals have been granted a code to access the color function. The codes granted will identify who is doing color copies. Having the color function (.075 per color copy) will permit jobs that are currently being done outside (.38 per color copy) to be handled in house.

Rob Zisko **moved** to authorize Rich Schilling to contract with Ricoh to lease a color copier at the quoted monthly price. Karen Bedics **seconded**; the motion **passed** unanimously.

### Correspondence

Jim Brownlow noted that a number of items of correspondence had been received and copies were distributed to the Supervisors. He added that correspondence was received today indicating that the McArdles have filed an action in Bucks County Court taking exception to the denial of their subdivision plan. They have requested relief from the denial and have asked the Court to reinstate their original subdivision plan. The Board has not had time to review the Appeal.

Jim Brownlow **moved** to authorize Terry Clemons to appropriately respond to the points that are listed in the Appeal. Rob Zisko **seconded**; the motion **passed** unanimously.

### Public Comments

**Bart Fleishman** questioned whether the well being requested by Rolling Hills could be drilled on the conservation easement. Mr. Fleishman feels the applicant's request to drill this well should be denied if it is to be drilled on the agricultural conservation area. Terry Clemons stated that the ordinance permits certain utilities on the open space land, and that the current request by the applicant is for an evaluation well to determine if there is adequate water to supply the homes proposed in this subdivision.

**Scott Douglas** asked a process and procedure question regarding the Act 537 Revision. Scott wondered whether there had been any consideration of forming a Steering Committee that would include more than just members of the Planning Commission and the Board of Supervisors. Jim Brownlow felt this was an excellent suggestion and it would be considered at the meeting when the RFPs have come back, the Board members have had an opportunity to study them, and the structure will be determined as to how to proceed with the revision.

**Joe Raynock** suggested that if Rolling Hills is given permission to proceed with the evaluation well, they should be asked to follow the DEP guidelines he gave to the Board at this meeting.

**Dennis Steskal**, responding to the question raised by Bart Fleishman about the location of the evaluation well, noted that the plans indicate two locations for the proposed well, neither of which are on the conservation easement.

**Alex Bodian** asked whether it was possible to add provisions or clauses to escrow accounts to accommodate more than just damage to roads; i.e., an overriding provision to cover things such as misrepresentations, etc. Terry Clemons said that the Britt Forestry situation was an unusual situation. Logging is permitted on conservation easements; however, the problem came about because the logging was begun before the permit was in hand. When the applicant was contacted to cease operations, they did so. Terry indicated that when a notice of violation is given, the applicant has five days to stop and/or take corrective action, and the applicant complied with this.

**Bob Bell**, a former long-time Chief of Police in Springfield Township, raised two concerns. The first concerned the authorization of the Board to advertise for and hire two part-time policemen. He does not feel that this is the way to go, in that it usually becomes a training ground.

Second, the two remaining officers are trying to "bail out the ocean with a thimble." Their workload does not permit the training time required for part-time officers. Bob indicated that six months has historically proved to be the expected length of employment for a part-time officer.

**Ray Bodnar** had a question about the High-Priority Zoning Ordinance which requires cluster development for a 10+ acre lot located in the Agricultural District.. These are the options available: one acre with on-site septic, or ¾ or ½ acre lots with centralized sewer system. He pointed out that the Township Act 537 Plan currently states that in the Agricultural District no treatment or centralized systems are permitted, and noted that is inconsistent with the new High-Priority Zoning Ordinance. He added that Attorney Gundlach, representing Rolling Hills at the last Planning Commission meeting, asked why we didn't eliminate the cluster housing option and leave only the one-acre lot option with on-site sewage systems. Ray feels that this is a good recommendation, in that getting rid of the ½ and ¾ cluster option now in the Zoning Ordinance would also eliminate the problem of centralized plants being placed on the open space. It would also ensure that the Township would not have to be responsible for the packaged sewer systems. Mr. Bodnar (a certified public accountant) noted that the Township does not have the staff, the expertise or the funds to take over numerous treatment plants. He noted also that granting one centralized system will ultimately result in other developers seeking these types of systems which will result in more and denser development which will destroy the rural character of Springfield Township.

### **Supervisor's Comments**

**Jim Brownlow** indicated that information about four potential candidates (selected by Rich Schilling and Bob Wynn from 13 submissions received) for sewage consultants was given to the Supervisors by Bob Wynn and Rich Schilling. It was the consensus of the Board that they would discuss the four candidates at their work session on June 26. Rich Schilling noted that the Planning Commission has also requested that the draft Zoning Ordinance be placed on that agenda for discussion.

**Karen Bedics** announced that the Township is in the process of acquiring a municipal building outdoor sign that will be visible from the road. It will have a track lettering area so that meeting schedules can be posted and will probably be in place within a month or two.

**Chuck Halderman** thanked the residents for their comments and assured those present that the concerns raised would be fully considered by him. He particularly noted that the financial concerns raised would be reviewed carefully. He also noted that the FEMA mobile home is on site for the EMS Squad and our Road Department will be demolishing (or having demolished) the existing building and preparing that location for the new mobile home.

### **Adjournment**

At 9:40 p.m., Rob Zisko **moved** to adjourn the meeting. Rod Wieder **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt  
Secretary

Next meeting: June 12, 2007