

## Board of Supervisors

### MINUTES

July 8, 2008

Jim Brownlow, Chairman, called the special meeting to order at 7:42 p.m. and opened with the Pledge of Allegiance.

**Supervisors Present:** Karen Bedics, Jim Brownlow, Barbara Lindtner, Volker Oakey and Rob Zisko.

**Also present:** Sandy Everitt, Secretary/Treasurer; Terry Clemons, Solicitor; Rich Schilling, Township Manager.

The Board held an executive session prior to this meeting to discuss legal issues.

### Approval of Minutes

Jim Brownlow **moved** to accept the June 17, 2008, minutes as presented. Rob Zisko **seconded**; the motion **passed** unanimously

### Bills for Approval

Karen Bedics **moved** to approve the bills listed on the June 18 – July 2 (\$38,152.71) and the July 3 – 8 (\$22,311.99), bills lists. Volker Oakey **seconded**; the motion **passed** unanimously.

### Reports

**Road Department** – Posted  
**Code Enforcement** – Posted

**Police Report** – Posted on website. Rich Schilling reported for Chief Laudenslager, who was on vacation. There was an accident with one fatality on Route 309 on June 21. Chief Laudenslager spent most of that day working with the State Police. The police have provided weekly traffic support for the Springtown Farmers Market as well as support for a roadside cleanup project supervised by Karen Bedics. Karen commended Chief Laudenslager for his excellent assistance at the roadside cleanup along Richlandtown Pike. It was apparent that he cared about the young people involved with the cleanup project. Advertisement for two additional police officers brought in numerous applicants. July 21 is the date on which physical fitness testing is scheduled at the Allentown Police Academy.

### Township Manager –

1. Rich contacted PennDOT and they approved installation of a pedestrian crosswalk at 3147 Route 212 (post office) in Springtown. They will also permit installation of school bus stop warning signs at Drifting Drive & Route 212, 3201 Route 212 (Almanac Store), and 3147 Route 212 (post office) in Springtown.
2. The traffic issues with the Farmers Market were alleviated by police support and lower traffic volume after the grand opening.
3. Advertisements about the PUC Hearing were placed in the Penny Power and the Bucks County Herald. The township-wide notice regarding the hearing was mailed on July 3.
4. Lombardo & Assoc., the Act 537 consultants, had difficulty obtaining needed information from Bucks County. Rich sent letters to the county commissioners and local legislators and the County is now supplying the requested information.
5. Rich Pursell requested the supervisors add Banko Lane (575') to the previously approved list of roads for oil and chipping this summer. Rob Zisko **moved** to add Banko Lane to the list of roads to be sealcoated at a price not to exceed \$3,000 (to be taken from Liquid Fuels funds). Karen Bedics **seconded**; the motion **passed** unanimously.
6. Resident Lana Horne wrote to Rich with concerns that trees on Funks Mill Road are being killed by road expansion. Rich inspected the area and has some safety concerns for that road. He feels Bob Wynn should inspect the road and the trees in question. Rob Zisko **moved** to authorize Bob Wynn and Rich Schilling to investigate the Funks Mill Road complaint area and make a recommendation. Barbara Lindtner **seconded**; the motion **passed** unanimously.

Rob Zisko commented that Passer Road looks good following the resurfacing recently completed..

### Public Comment – None

### Planning Matter

Barbara Lindtner **moved** to accept completion of the maintenance period for Spring Hills Subdivision, conditional upon payment by them of any outstanding township costs, per Bob Wynn's recommendation in his June 30, 2008, letter. Rob Zisko **seconded**; the motion **passed** unanimously.

### Old Business

**1. Request from Penn Meadows Homeowners Association (Allison Road)** – Scott Voth, secretary; and Ray Bender, treasurer; were present representing the Homeowners Association. The township received a copy of the Homeowners Association Special Meeting Minutes of May 21, 2008, indicating that eight of ten residents voted to have the township remove the trees from and pave over the circle in the center of the cul-de-sac on Allison Road. They suggested the trees be moved to the open-space area where trees planted by the builder have died. They would also like to have trees along the front of the development replaced that a homeowner cut down. The Springfield Township Police are currently investigating whether a former township employee authorized that resident to cut down the trees, as the homeowner has stated. If that is a fact, the township will be responsible for replacing the trees. If the homeowner cut the trees down without authorization, she will be required to replace the trees at her own expense. Rich thinks that the trees planted along Allison Road in the township's right-of-way are planted too close together. It might be possible for the homeowner to have her landscaper dig out every other tree and move them to the area where the trees were cut down.

Jim Brownlow summarized that there are three issues involved in the Penn Meadows situation:

- Too many trees along Allison Road
- Removal of the cul-de-sac island, moving the trees within the cul-de-sac, and laying blacktop in the center of the cul-de-sac at the township's expense
- Obtaining a proposal from the township's Parks & Recreation Committee about how the eight-acre open-space area in the subdivision would be used and how it would be maintained if the township took it over..

Mr. Bender indicated that they do not wish to have the open-space issue discussed at this meeting. Rob Zisko **moved** that the township remove the dead trees in the cul-de-sac, move the live trees to holes in the retention base area in a location approved by the township engineer, and pave over the cul-de-sac using money from the Liquid Fuels fund. Barbara Lindtner **seconded**; the motion **passed** unanimously

The Board advised Mr. Voth and Mr. Bender to talk with Bob Wynn about whether they could cut down approximately 40 dead arborvitae bushes in the storm water area of the open space.

**2. Service Electric Cable Franchise Agreement** – Rich Schilling pointed out three minor revisions made to the draft 10-year Cable Franchise Agreement the Board received. Each change and the agreement as a whole was approved by Scott MacNair, township solicitor; and Ken Simmons, Springfield Township's representative on a four-township consortium. Ken Simmons thanked the Board for permitting Rich Schilling to work with them in bringing this agreement to fruition. Ken reviewed the history of Cable Franchise Agreements with Service Electric. He said that the first agreement was signed in 1991. In the 15 years that agreement was in effect, neither the Supervisors nor Service Electric lived up to the agreement they signed. Ken feels the contract was ignored. In 1997, Ken became involved because of the poor state of cable service in the township. Following a meeting at that time, some minor corrections were made. This new agreement should be a much better document. In addition, the new technology promised in our area should permit a higher level of services for residents. Ken referred to the township's Ordinance 132, enacted approximately three years ago, which was to be followed by Service Electric when there was a complaint. Although there have been approximately 36 complaints submitted to Service Electric, only a very few of those were handled by Service Electric as outlined in Ordinance 132. Ken urged the Board to ensure that the new agreement is enforced.

Rich noted that this agreement does not preclude other companies from providing service within the township. It simply gives Service Electric permission to work within township right-of-ways to service their infrastructure. He pointed out that the decision by Service Electric to provide service to our rural township (or any rural area) was not a financially profitable decision, because the subscriber base in any rural area does not cover the cost of their

infrastructure. The new agreement includes upgrading the entire township by the end of 2009 with high-speed internet, video-on-demand and telephone service. Although not stated in the agreement, Service Electric hopes to have most of the upgrades done by the end of 2008.

Jim Brownlow **moved** that the township enter into the Service Electric agreement presented by our negotiating team, conditional upon our solicitor's review and approval of the agreement. Karen Bedics **seconded**; the motion **passed** unanimously.

### 3. Request for Quote for Utilization of 45+ acre Township Property (Peppermint Road) for Growing Hay

The Request for Quote (RFQ) was advertised in the Penny Power. Rich received four quotes that he opened for the Board's consideration.

- **Paul Longacre** - \$1,000/year for four years, 2008 – 2011 (has farmed the property for the past 20 years)
  1. Forage only
  2. Moderate use of herbicides
  3. Use of dry or liquid fertilizer
- **Harry Hottle** - \$10/acre (approx. \$450/year)
  1. Will be kept as hay from now until 3/1/09
  2. Will not spray or plow land
- **Nevada Mease** – submitted two proposals, along with information about the existing condition of the soils, present condition of the property, and goals for the property.
  1. Bid #1 - \$1/acre for first 3 years; \$25/acre for following 4+ years  
Of note: Plans to amend soils; prefers 7-year lease of property; would mow the perimeter annually so residents could utilize as a walking/riding trail if the township wishes.  
He noted that although proposal may not be the highest per-acre quote, he will be investing in land improvements for first three years: Lime - \$2,400; Fertilizer - \$5,250 = \$7,650 Total
  2. Bid #2 – Strip/contour farm the property with crop rotation. This plan would produce quality crops along with education, which could include a playground and parking lot to access the property with an education board near the parking lot including one or more maps labeling each crop, along with details regarding its growth, harvesting and uses.  
Of note: same soil amendments and terms of Bid #1 will apply, except in exchange for monetary rent he would provide information for the education boards and a two-hour presentation to explain crops being grown and answer questions. While providing crops and income for himself, he would like to teach children and adults how food is grown and help them learn about farming/agriculture.
- **Stoneback Farms** – submitted two bids.
  1. Bid #1 – Maintain field in grass for use as hay at \$30/per farmable acre. Will use maps from FSA to determine farmable acreage (or acreage agreed upon by both parties)
  2. Bid #2 – 2008 season - \$30/per farmable acre w/ field maintained in grass.  
2009 season - \$50/per farmable acre  
2010 season - \$30/per farmable acre

The supervisors received a copy of each bid for review. It is estimated that 30 - 35 +/- acres of the property is farmable.

James Nilsen, resident and owner of Spring Run Farms on Pleasant View Road, offered some technical information on farming questions the Board raised. He urged the Board to consider their long-term plans for this property, as any farmer who invests time and money to improve the property will require longer use of the property to recoup his investment. This may not line up with the Board's long-term plans—expressed as parks and recreation, by Barb Lindtner and Karen Bedics. He suggested that some spraying would undoubtedly be required because of the number and quantity of invasive weeds now on the property. If uncontrolled, seeds from these invasive weeds blow onto neighboring farm tracts that are currently being farmed. The Board estimated it would be between 3 – 4 years before the Parks & Recreation Plan was to the point where they could consider using the property for recreational purposes.

Terry suggested the Board could ask Rich Schilling to study the proposals and determine with their input exactly what they want to take place on the property. Mr. Nilsen encouraged the Board to look at adjacent, properties farmed by Mr. Longacre if they wanted to see what the township property could look like if appropriately sprayed to get rid of invasive plants. Early this year, Mr. Longacre requested permission to spray the township property, which Rich Schilling denied because he knew the Board's thoughts at that time on spraying. Mr. Longacre said that he only sprays a field when on an "as needed" basis, which could be annually or biannually. Terry asked how long it would take to get the township field in good condition and how much spraying would be involved. Mr. Longacre

said it would take from 3 – 4 years, spraying in the spring and in the fall each year. Karen Bedics researched using RoundUp and learned that although it kills everything, it does not stay in the ground for long. She is concerned about the other herbicides included in the proposals that she has not had time to research. Jim Nilsen suggested she contact Mike Fornay of the Penn State Extension Office who has an office in Doylestown. He does free assessments of properties for residents and he would likely provide the same service for the township. His salary is paid by our taxes and he is trained in the proper use of various types of herbicides. His would be an independent opinion. Mr. Nilsen stated that RoundUp should never be used to maintain a hay field, as it would kill everything—the good and the bad.

Jim Brownlow asked the solicitor if the Board had to act on the solicited RFQ's immediately or if they could restructure and refine what the township wants done on the property after a review of the RFQ's. Terry advised that the township could do that. Jim **moved** that Rich Schilling work with Mr. Longacre to refine his proposal to include a walking/riding path around the property. He selected Mr. Longacre because:

1. His quote for 4 years was about the right length of time.
2. He will eradicate the invasive weeds as part of his proposal.
3. He will fertilize the property, thus raising the quality of the soil.
4. He has been farming the land for 20 years and knows it better than any of the other bidders

Rob Zisko **seconded** the motion. Barbara prefers Nevada Mease's proposal. Jim said the negative to that proposal is he wants a 7-year lease. Barbara suggested that we could negotiate a shorter time with him. Karen liked Stoneback Farm's Bid #2, which is only for three years. After considerable discussion, Jim called for the question. Voting **Yes**: Jim Brownlow, Volker Oakey, Rob Zisko. Voting **No**: Karen Bedics, Barbara Lindtner. The motion **passed**. Rich Schilling will work with Mr. Longacre to determine exactly what service he will provide (how much and what type fertilizer and weed control agents will be used).

### **New Business**

(Jim moved the final item under New Business for consideration first.)

**1. Planning Commission Vacancy** – When Volker Oakey was appointed to the open supervisor's position, he agreed to resign his position on the Planning Commission, thus creating a vacancy. That vacancy was announced, placed on the township website, and advertised in The Morning Call. One application was received from Curtis Reiss. Rob Zisko **moved** that Curtis Reiss be appointed to fill the unexpired term of Volker Oakey on the Planning Commission. Karen Bedics **seconded**; the motion **passed** unanimously. The Board thanked Curtis for his willingness to serve and congratulated him on his appointment.

**2. Open Space Plan Update** – Rich Schilling reviewed the proposal to assist the Township in updating their Open Space Plan that was received from Ted Evans, Director of *Open Space Partnership for Bucks County*. The Open Space Committee asked Rich to obtain this proposal from Ted Evans, as an updated plan is required to qualify for natural area spending. Ted anticipates he can complete the update by September 15, 2008, which would qualify the township to receive an allocation of natural area funding. The Open Space Committee reviewed Ted Evan's proposal at their last meeting and unanimously voted to recommend that the Board authorize Mr. Evans to prepare the proposal, with the condition that he provide a monthly update on his progress and maintain consistent billing for his open space services. Bucks County will reimburse the township for up to \$10,000 of documented expenses. Rich noted that Ted Evans cannot do the mapping required for the new Open Space Plan, nor can Bob Wynn, township engineer. Rich Schilling will prepare a proposal for another firm that can provide the services. Cindy McCurdy will give Rich the name and email address of a Bucks County official who can provide names of individuals and/or companies qualified to provide the mapping service needed. Ted Evans will work with the township to update the list of properties already protected. Rob Zisko **moved** to authorize Ted Evans to update and prepare a new Open Space Plan for Springfield Township at a cost not to exceed \$5,000, with the condition that monthly updates be provided to the Open Space Committee and the Board during the updating process.

Rob Zisko said it is vital for this process to move along quickly in order for the township to get their allotment of county funds, which is approximately \$630,000. He said there is an additional \$11,000,000 scheduled to go into the Natural Areas Program, which is "up for grabs" by whoever gets their Open Space Plans updated first. Barbara Lindtner asked about the need for annual Township inspections of protected lands. Terry Clemons said this may be a new county requirement and a procedure to accomplish this will need to be established once the rewrite is completed.

Terry Clemons also suggested that natural resource areas should be identified that might also qualify for funding. Rob Zisko said that under the Bucks County's inventory of natural resources, all of the Cooks Creek Watershed is considered "priority one" area, which encompasses about 80% of Springfield Township. That means that many township properties would qualify for a portion of the \$11,000,000 available in the Natural Areas Program. Barbara Lindtner was concerned about the length of time before any properties are actually brought before the Board for consideration, because of arbitrage requirements associated with the \$5,000,000 Open Space Referendum Loan acquired in December 2007. Jim Brownlow called for the question. Karen Bedics **seconded**; the motion **passed** unanimously.

**3. Tire Recycling** – Cindy McCurdy reviewed details of the EAC's proposal to conduct the first township-wide tire recycling project. On Friday, September 26, an 18-wheel tractor-trailer will be delivered and tentative plans are to park it on the township's annex property (where the EMS modular building is located). The trailer will hold between 500 – 800 tires, depending on the size of the tires. Car, SUV, motorcycle, and tractor-trailer tires (without rims) will be accepted, Cindy suggested a charge of \$2 for car tires with an additional charge of \$1.50 for motorcycle, and 3- and 4-wheeler tires. These tires are not accepted where this dealer delivers car tires and he will need to take them elsewhere at a higher cost. Tires must be free of mud, water and debris. The tire collection from township residents will take place on Saturday, September 27, during hours to be designated by the EAC. EAC and other township volunteers will load the tires onto the 18-wheeler. Sometime during the following week, the company that delivered it will remove the tractor-trailer containing the tires. The cost for the trailer is \$150 with an additional charge of \$50/ton for tire disposal (100 car tires = one ton). Most townships collect between 3 and 4 tons of tires. Therefore, the anticipated cost to the township would be approximately \$250. If a charge of \$2/tire is levied and 200 tires are collected, that would be a total collected of \$400. After expenses, the township would realize a profit of approximately \$150. Cindy would like to keep the cost per tire low enough so that residents will participate and get rid of old tires (natural breeding sites for mosquitoes). The EAC is considering whether to ask for photo ID to ensure that people bringing tires are residents. The EAC meets on Thursday, July 10, and Cindy would like to bring a Board decision to that meeting so that plans can be developed, advertising planned and information can be put into the upcoming Township Newsletter.

The EAC members and other interested residents will volunteer their service on collection day under Cindy's leadership. Karen Bedics will see if she can get youth doing community service to help load tires on the truck. Rich asked that all volunteers sign a liability disclaimer form. Karen would like to place posters throughout the township, advertise on the township's website and in the upcoming newsletter. No newspaper advertising will be done as that would encourage non-resident tires.

Karen Bedics **moved** to authorize the EAC, led by Cindy McCurdy, to proceed with the tire-recycling project as presented for September 27, 2008, with a \$2 charge per car tire and an additional charge for other tires. Although the event is primarily for township residents, tires from non-residents will be accepted; therefore, no ID will be required and there will not be a limit to the number of tires that can be brought. (Time of the collection to be determined by the EAC.) Volker Oakey **seconded**; the motion **passed** unanimously.

**4. Bank Resolution** – Jim Brownlow **moved** to authorize execution of a QNB Bank Resolution removing Chuck Halderman as a signer, adding Volker Oakey as a signer, and changing the Vice Chairman from Chuck Halderman to Barbara Lindtner. Volker Oakey **seconded**; the motion **passed** unanimously.

### **Correspondence**

Jim Brownlow noted that correspondence received was noted on the agenda.

### **Public Comments**

**Rose Strong**, on behalf of the Community Day Committee, stated that they originally planned to take in food and financial donations for The Lord's Pantry again this year. On May 5 a letter went to that organization to take a participatory role in this year's Community Day event, either by setting up a booth or if this wasn't possible, by making arrangements to pick up the food items collected for them on Community Day. Rich Schilling called the Lord's Pantry the first week of July during their business hours and left a message to return his call. To date, the Lord's Pantry has not responded. Rose feels that if they have not responded by the July 18 booth deadline, that the Board should consider another organization to receive the food and funds this year. Rose noted that proceeds from

the dunk tank were earmarked as cash donations for the Lord's Pantry last year, and \$260 was raised, which was used to purchase baby formula, diapers, etc.

James Nilsen said that his church worked with the Springtown Lions Club. They raise money to help needy families in Palisades School District at Thanksgiving and Christmas each year. The school district identifies needy families for the Lions Club to help, and they work very discretely. Rose indicated the Springtown Lions Club has reserved a booth at this year's Community Day. Jim authorized Rose Strong to explore that option.

**Cindy McCurdy** commended the Board for awarding the job of working on the township property to Paul Longacre. She noted that every point Jim Brownlow made in his motion was the truth and she feels he was the perfect choice, having worked on the property for the past 20 years.

**James Nilsen** expressed concern about accidents on Pleasant View Road that have caused him to have to repair his fence two times in recent years. Most recently, he returned from a Sunday trip on Father's Day to Lancaster to find his herd of Herefords gazing at six posts lying on the ground with the barbed wire gone. They were about ready to "trot" up or down Pleasant View Road, and 42 head of cattle can go in many directions! He spent his Father's Day repairing posts and fence. The underlying problem causing the accidents is that when Pleasant View Road was resurfaced, there is no shoulder. There is a drop at places of 6 – 7 inches. With smaller vehicles, if you get off the shoulder at more than 30 mph, many people overcompensate and their cars flip or hit utility poles and/or trees. There was a period of 7 years prior to the repaving project where no accidents occurred near his property. After the repaving he has had numerous accidents at different locations by his property. He used his own money to put dirt up to the asphalt and seed it to level some of the shoulder area, because he could no longer use his tractor to mow beside the road because of scalping the new asphalt surface. He points this out because of other areas on Pleasant View which still have shoulder drop offs that are dangerous and should be inspected. Mr. Nilsen offered to provide a spot on his property for our police to monitor traffic.

### **Supervisors Comments**

**Jim Brownlow** had two comments:

1. Article for Newsletter – The township will do an article about Volker Oakey, newly appointed supervisor, as many residents do not know him. Jim will work with Rich Schilling to generate a list of projects on which the supervisors are currently working.
2. Second meetings in July and August – In past years, the Board did not meet two times in July and August because of vacation conflicts. Barbara Lindtner **moved** to have only the first meeting (on the second Tuesday of the month) in both July and August. Rob Zisko **seconded**; the motion **passed** unanimously.

### **Adjournment**

At 10:08 p.m., Jim Brownlow **moved** to adjourn the meeting. Rob Zisko **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt  
Secretary/Treasurer

Next meeting: August 12, 2008 – 7:30 p.m. (No meetings on July 22 or August 26)

Approved: August 12, 2008