

**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
AUGUST 10, 2004**

The meeting was called to order at 7:30 p.m. by Chairman Rod Wieder. Members in attendance were: Vice Chair Pete Lamana, members Chuck Halderman, Rob Zisko and Jim Brownlow. Solicitor Jim McNamara was present.

Minutes of July 13, 2004

Jim Brownlow moved to approve the minutes as presented. Seconded by Rob Zisko. Vote was unanimous.

Bills for Approval

The Treasurer presented a bills list showing payments of \$60,294.89 from the General Fund for the period July 13 through August 6, 2004. Rob Zisko moved to approve the bills. Seconded by Jim Brownlow. Vote was unanimous.

Public Comment Agenda Items

Chairman Wieder reminded the residents Resolution 92-2 allows a five minute comment period.

Bruce Fritchman expressed his frustration that he would be allowed only five minutes to discuss his concerns regarding the Evergreen Estates Subdivision on the Agenda for Preliminary approval this evening. Rod Wieder explained he would allow ample time for Mr. Fritchman to address the Board.

Mr. Fritchman expressed the following concerns with the development as proposed.

The neighbors hired Jeffrey Ott, a Civil Engineer, to review the plan and Mr. Ott produced six pages of problems with this plan.

The run-off calculations were made assuming 15 acres will remain forested. There is no means to guarantee that some of this forest area will be converted to lawn. These 15 acres could possibly become all lawn. This would affect the calculations for water run-off.

Bruce discussed problems with basin design calculations and the location of the outflow pipe, which is shown partially below Bodder Road.

Bruce believes the planning commission recommendation was disregarded. There should be additional time allowed to correct the deficient design of the basin. Bruce believes the township has ample grounds not to take action on this plan tonight.

Jerry Fogg, Bodder Road agrees with Mr. Fritchman. She expressed her concern about water in the area. Mrs. Fogg's does not believe there is not sufficient water in the area to support 10 additional homes.

REPORTS

Road Department Report is available on the bulletin board.

Code Enforcement Report is available on the bulletin board.

Police Department Report is available on the bulletin board.

Solicitor's Report

Meyle Lawsuit - Jim McNamara reported he sent a memo to the Board concerning a proposed settlement of the lawsuit involving Rick Meyle, Springfield Township, the former Springfield Township Authority and the Milford Trumbauersville Area Sewer Authority. Milford Trumbauersville Authority was to consider the matter of the Settlement on August 9th; however, he has not been advised of the results. The Solicitor recommends that the Board approve the Settlement to end this matter. The Solicitor will discuss this matter with the Board in Executive Session following the meeting.

DelGuericco Lawsuit – Following the Solicitor's discussion of the terms of the proposed settlement with the DelGuericco's over their property, he revised the terms of the settlement. So far, there has not been agreement with the attorneys representing the DelGuericco's on the settlement. The Solicitor stated it looks like we could be headed back to Federal Court.

PLANNING

Evergreen Estates Subdivision Route 212 & Bodder Road – Preliminary Approval

Pete Lamana stated before introducing a motion he wanted the residents to know his motion is based upon comments from the Township Engineer, Bob Wynn, Solicitor Jim McNamara, Scott Douglas, Chairman of the E.A. C. and public comments.

Pete Lamana moved to grant preliminary plan approval for Evergreen Estates conditioned upon approval by DEP of the planning modules and outstanding items listed in Wynn Associates letters dated June 21, 2004. Also, waivers requested contained within the June 9, 2004 correspondence from Mease Engineering and discussed within Item 1 of the June 21, 2004 engineering review are approved with the following conditions:

- A. Item 1.E regarding Section 515, monitoring wells, is revised to require only one monitoring well to be installed internal to the site in accordance with the recently adopted Subdivision Ordinance Amendment. Specifically, in-lieu-of installation of monitoring wells pursuant to Section 519 of the Subdivision Ordinance; a single monitoring well shall be installed pursuant to Section 519.3 thru 3.F. of the Subdivision Ordinance as amended by Ordinance 128 adopted on June 13, 2004.
- B. A waiver is granted from Section 304.D of the Stormwater Management Ordinance, which requires spillway embankments constructed in fill to be stabilized utilizing concrete checker block. Waiver is approved conditioned upon the spillway embankment being stabilized with pinned jute netting to permit establishment/stabilization of vegetation.

If any stormwater management plan design issue is found inconsistent with the Stormwater Management Ordinance requirements, this will be addressed at final plan stage. Seconded by Rod Wieder.

Discussion – Rod Wieder reminded the Board that the Planning Commission does planning for the Township. The Township Engineer has worked for the Township for many years and has an excellent reputation. If there are any items in the Ott Report that need to be addressed, the Chairman assured the residents they will be addressed. The Board relies on the advice of the Engineer and Solicitor, the Supervisors do not do planning at Board meetings.

Jim McNamara stated he received a copy of Bob Wynn's five page response to the Ott Report dated today. The Township Engineer's report does not require any additional information relating to Evergreen Estates; he stands behind his original review of the plan.

Jim Brownlow clarified the recommendation to grant waivers and Preliminary Approval. At the Board of Supervisors meeting on July 13th objections from residents about calculations for stormwater were raised. The residents believed there was not enough time for input prior to the vote to recommend approval of the Preliminary plan.

The Supervisors sent the plan back to the Planning Commission to re-evaluate the stormwater issues.

There was a motion made at the Planning Commission meeting on August 4th to rescind the motion made on July 7, recommending preliminary approval. This motion failed. Therefore, the prior recommendation stands.

The Planning Commission moved to recommend denial of the plan at the August 4th meeting because the applicant would not offer an extension.

The information submitted by Mr. Ott was reviewed by our Township Engineer who stands by his review of the plan. Jim is not sure how the Board can deny Preliminary approval based upon the information before them.

Chuck Halderman attended the Planning Commission meeting on August 4th. Chuck mentioned the detention basin on Drifting Drive never drains. Chuck would like to have more time to review stormwater before making the decision to approve the Preliminary plan.

The Chairman called for the Vote: Mr. Lamana, Mr. Zisko, Mr. Brownlow and Mr. Wieder – YES. Mr. Halderman – NO. Motion carried.

OLD BUSINESS
NONE

NEW BUSINESS

Bids for Gasoline/Diesel/Heating Oil – Two bids were received one incomplete, the second was submitted late.

Chuck Halderman moved to re-advertise the fuel and heating oil bids. Seconded by Jim Brownlow. Vote was unanimous.

Close Delaware Investment 457 Account – The administrative fees for this account have increased from \$500 to \$2,300. It is no longer feasible to continue this plan. There are only two employees participating at the present time.

Chuck Halderman moved to close the Delaware Investment 457 Account. Seconded by Jim Brownlow. Vote was unanimous.

Bartakovitz Property – Springfield Township, Heritage Conservancy and Bucks County have an agreement with the Bartakovitz Family to place an easement on the property. The

Township's share is \$25,000. Pete Lamana moved to authorize the Solicitor to represent the Township at the closing. Seconded by Rob Zisko. Vote was unanimous.

Administrative Assistant Increase – Pete Lamana moved to authorize a \$1.00 per hour increase for Sandra Everitt. This will increase her hourly rate to \$13.50. Seconded by Rob Zisko. Vote was unanimous.

PUBLIC COMMENT

Dennis Steskal asked about the status of Bucks County Water & Sewer Authority's proposal for the water system in Springtown. We are waiting for information.

Tina Shaffer asked if the Supervisors received her information packet regarding cable television and the upcoming contract. The Board will address this matter at the September meeting.

William Huhn, 1960 California Road is concerned about the condition of California Road. He requested the Township take the road from the state. Mr. Huhn is also concerned about a new residence being constructed on California Road. Mr. Huhn does not believe he is following the code. There is soil on the road and he feels the driveway should have a pipe. The soil problem should be reported to the Bucks Conservation District.

A Springtown resident reported a large pot hole on Mill Street. Also, the gutters need to be cleaned. This will be reported to the Road Foreman.

SUPERVISORS' COMMENTS

NONE

Rod Wieder announced an Executive Session following the meeting to discuss litigation.

ADJOURNMENT

Pete Lamana moved to adjourn the meeting at 8:10 p.m. Seconded by Jim Brownlow. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary

