

## Board of Supervisors

### MINUTES

August 25, 2009

Jim Brownlow, Chairman, called the meeting to order at 7:30 p.m. and opened with the Pledge of Allegiance.

The Supervisors held an Executive Session prior to this meeting to discuss personnel issues.

**Supervisors Present:** Karen Bedics, Jim Brownlow, Barbara Lindtner and Rob Zisko **Absent:** Volker Oakey  
**Also present:** Mark Laudenslager, Chief of Police (left at 9:50 p.m.); Scott MacNair, Township Co-Solicitor (left @ 9:35 p.m.); Sandy Everitt, Secretary/Treasurer; Rich Schilling, Township Manager and Bob Wynn, Township Engineer (left @ 9:35 p.m.).

### Approval of Minutes

Barbara Lindtner **moved** to accept the July 28, 2009, minutes as presented. Rob Zisko **seconded**; the motion **passed**.

### Bills for Approval

Rob Zisko **moved** to approve the following bills paid from July 29 – August 25, 2009:

- |                         |               |                   |             |
|-------------------------|---------------|-------------------|-------------|
| 1. General Fund         | \$ 63,175.31  | 4. Open Space     | \$ 2,966.69 |
| 2. Subdivision & Escrow | \$ 17,708.38  | 5. Farmers Market | \$ 876.53   |
| 3. Liquid Fuels         | \$ 102,589.19 |                   |             |

Karen Bedics **seconded**; the motion **passed**.

### Reports

**Road Department** – Posted; accepted as presented.

**Police** – On August 7, the police assisted the Springtown Water Authority with distribution of flyers pertaining to contaminated water. During July, the police responded to 142 incidents (48 incidents were handled in July 2008), including 19 criminal offenses. Property valued at \$18,651 was stolen in July with no recovery. There were 10 crashes involving 18 vehicles with 8 injuries. The burglary count has decreased, with the most recent burglary occurring on Peppermint Road. Rich Schilling asked for Chief Laudenslager to include statistics for incidents handled by the State Police in coming months. Rich Schilling received a complaint about a safe sight distance issue when accessing Route 212 from Pleasant View Road. The problem is created by bushes in front of and behind a telephone pole that block vision of Route 212 to the left of Pleasant View. Chief Laudenslager will speak to Bob Wynn about engineering issues when determining safe sight distances.

**Township Manager** – Rich Schilling is working with Mike Guarino and Karen Bedics to update the township's Emergency Management Plan. 31 permits were processed in July totaling \$10,981. Rob Zisko expressed concern about the high cost of the permit to reconstruct a barn wall as well as a fire restoration permit. Barbara Lindtner questioned what was included in the "Miscellaneous/Zoning" category, as it is much higher than in previous years. Rich will look into this and report back to the Supervisors.

### Public Comment on Agenda Items - None

### Auditor's Report

Cheri Freeh of Hutchinson, Gillahan & Freeh, presented an overview of the 2008 Audit Report. She explained the various headings of the general fund balance sheet under the "Equity" section. She gets more questions from municipalities about the fund balance section than any other questions. She explained that when you own a home it is an "asset"; however, the mortgage to pay for that home is a "liability." Asset value minus your liability is your "equity," which is what you actually own. The Fund Balance section is the "equity" section, and represents the difference between all of your cash account balances and all assets, minus any things that you owe (liabilities). The confusion is that QuickBooks breaks it down in several pieces. In our general fund balance sheet, the Board

designated \$219,520.83 (funds left in PLGIT Class & Plus accounts at end of 2008) as a fund for them to use for projects, which could include balancing the budget, future capital projects, etc. The “Fund Balance” and “Net Income” figures can be technically combined and represent the unreserved fund balance available to use wherever it is needed. The “Net Income” portion is the current year’s unreserved fund balance. The “Fund Balance” portion is unused funds from prior years. On page 14 of the 2008 Audit Report, it shows that the township budgeted to use \$115,000 of the fund balance from the prior year to balance the 2008 budget. This is an example of how this reserve can be used.

Cheri indicated that the audit report lists “modified cash accounting” for the township. Jim said this “hybrid” method of municipal accounting is what makes municipal accounting confusing. Cheri noted that in modified cash basis accounting only certain liabilities, such as Escrow Account balances—money that technically does not belong to the Township—is recorded, and thus should not be shown as part of the “Fund Balance.” Jim Brownlow pointed out that another area that causes difficulty is the number of separate funds, keeping them separated and understanding that money cannot be moved from one fund to another. Cheri said that some transfers can be done from fund to fund, but there are legal limitations on which funds can be transferred from. She explained that a journal entry was done to take care of the confusing negative “retained earnings” that had appeared for a number of months on the balance sheet. Cheri encouraged the Board to contact her personally if they had any additional questions about the budget or the various reports.

There was concern with the current economy about having over \$400,000 invested in QNB, when the FDIC insures only \$250,000 in any one bank. Barbara Lindtner moved to authorize the treasurer to transfer up to \$200,000 from the Subdivision & Escrow account at QNB into PLGIT. Rob Zisko seconded; the motion passed unanimously. The treasurer will have PLGIT invest most of this money into short-term CDs at various banks.

### **Upper Bucks Regional Emergency Medical Service Ambulance Display**

At 8:05 p.m., a brief recess was called to permit people to go outside and look at the new UBREMS ambulance.

### **Planning Matters**

**1. Rolling Hills** – Ronald Jackson, P.E., of Boucher & James, Inc.; and Herbert Sudfeld, Jr., Fox Rothschild LLP; were present for the applicant. Bob Wynn referred to the final plans each supervisor was given and to his review letter dated August 11, 2009. This subdivision is located on Slifer Valley Road and Route 212 and contains 5 lots. The shared driveway entrance location was the major difference on the current plan. The applicant could not obtain the easement required for safe sight distance, and therefore could not secure a PennDOT permit for the original driveway location. The new plan relocates the driveway entrance to an area where no easement was required. Bob reviewed the final plan, which includes 4 building lots accessing a private road with the remaining property being a farmland lot conserved property with a 2-acre building envelope within the farmland lot designated for a future dwelling.

Scott MacNair indicated that the settlement agreement proposes two different easements—one a township easement and the other a county Ag Preservation Board easement. Therefore, two different documents will govern what is permitted on the easements.

Scott MacNair suggested one condition in addition to those listed in the August 11, 2009, engineer’s review letter, which was to change note 10 on page 2 of the plan. He asked that the text “following completion of the proposed construction, the remaining lands of Lot 1 shall be delineated within a conservation easement as approved in ...” Scott stated this note should reference the Stipulation & Settlement Agreement that is already in effect. He suggested that a condition should be added that Note 10 be revised to state “as provided in the agreement between Springfield Township and the current property owner that is dated January 5, 2009.” There was no objection to this note change by the applicant’s representatives. Scott MacNair recommended that the Board grant final approval to the Rolling Hills plan. Bob Wynn will permit the Planning Commission to review the final plan and the planning module at their September 2 meeting. Rob Zisko moved to grant conditional final approval to the Rolling Hills Subdivision plan based upon satisfactory completion of the items listed in the August 11, 2009, engineer’s review letter as well as the change to Note 10 to “as provided in the agreement between Springfield Township and the current property owner that is dated January 5, 2009.” Jim Brownlow seconded; the motion passed.

### **Governmental Matters**

Jim Brownlow added this category so that when matters come up at the State level that will affect the Township, they can be added to this category for review and discussion.

**PA House Bill 1500 – Update & Discussion** – Rich Schilling updated the Board on this confusing House bill that is currently before the General Assembly. Representative Paul Clymer feels that it is likely that legislation may be passed in 2009 to charge municipalities who utilize State Police coverage, especially in light of the current State budget crisis, with discussion of the bill likely to begin in October. Referring to page 4, Section (2) (i) (C), Rich said that section appears to state that because Springfield Township currently has 120 hours of police coverage, the township would be exempt from charges for State Police service. However, the following section (ii) appears to negate that exemption. The fees are per resident, beginning at \$52 the first year, \$104 the second year and \$156 the third and subsequent years. Karen Bedics feels that this may be an effort to get municipalities to regionalize police forces. Scott MacNair thinks this law would generate revenue for the State, and he feels it may be pushed through because of the current State budget deficit. Jim Brownlow summarized that this is a way for the State to tax without creating a “tax.” He listed two perspectives on this issue. Small municipalities that cannot afford to have their own police force will ultimately have a “tax” on their residents. On the other hand, why should small municipalities get free State Police coverage when cities and larger municipalities are paying their own police departments as well as their portion of taxes to enable State Police coverage. Jim Brownlow agrees with Scott MacNair that this is a moneymaking move for the State, who will hit the municipalities with this cost. The municipalities will have to increase taxes to residents to meet this cost. Rich Schilling stated 12 – 14 officers would be needed to provide 24-hour coverage. Rich Schilling has asked Chief Laudenslager to begin dialog with neighboring, small municipalities about creating a regional police hub in Springfield Township.

Jim Brownlow **moved** to authorize the Township Manager to send a letter our representatives and the individuals who are proposing this bill. The letter should state that House Bill 1500 is poorly written, and that Springfield Township is not in favor of the premise of the bill or the implications it contains for municipalities and their residents, and further, that it appears to be a way for the state to tax without calling it a tax. Rob Zisko **seconded**; the motion **passed** unanimously.

### Old Business

**1. Bouloux Conditional Use Hearing** – The Findings of Fact, Conclusions of Law and Decision is completed and was presented for Board signatures. This must be sent to the applicant within 45 days of the hearing.

The Board moved to Item 1 of New Business which requires the presence of the solicitor and engineer, and Item 2 which requires input from Chief Laudenslager.

### New Business

**1. Request from Property Owner Concerning Nemeth Road** – **Michael Buonassi** lives in Bethlehem but owns a property on Nemeth Road. He has a problem accessing his Nemeth Road property. The legal easement with a right-of-way along Nemeth Road allowing him to access his property has been blocked posted “Private Property, No Trespassing” by Charles Reese, who purchased the old Brink Subdivision. The zoning officer and Springfield police have been involved in trying to resolve this issue. Mr. Reese maintains the easement road and apparently is stating that since he plows and maintains the road, it is his road and thus, private property. Mr. Buonassi is requesting that the township take over and maintain this road.

Bob Wynn, township engineer, conducted a site inspection of this property today and gave a brief overview of the history. This was originally the 3-lot Brink Subdivision. That plan extended to the township the easement area right-of-way along the frontage of the adjacent lots, allowing those property owners to have access to their properties. The townships is funded by Liquid Fuels to maintain the paved portion of Nemeth Road. In 2002, Charles Reese submitted a subdivision plan which included his intention to pave the road within the easement area that was dedicated under Brink and further dedicate an area for a turnaround at the end of the road so there would be a cul-de-sac street. When that took place, the township would take over the paved road. The Reese Subdivision plan received preliminary approval on March 14, 2006, and final conditional approval on June 13, 2006. There has been minimal activity toward completing the conditions of approval to permit having the plan recorded. Mr. Reese does not own the easement, it was dedicated to the township, but he was required to improve the road in that easement as part of his approved subdivision. The easement is actually on lands owned by Philbin and Hoyt, not on Mr. Reese’s

property. Mease Engineering handled the Brink Subdivision and Cornerstone Consulting handled the Reese Subdivision. Cornerstone referenced the Mease plan as well as stating that this easement was previously dedicated to the township as part of the Brink Subdivision. Scott MacNair will verify that there is a recorded public easement in favor of Springfield Township on file at the Court House. If it has, it is not a private road and cannot be blocked.

Scott MacNair offered to obtain a copy of the recorded easement and write a letter to Charles Reese, enclosing a copy of the easement, and explaining his and the township's rights under that easement, which will include removing the "Do Not Trespass" signs from the public easement area. If Mr. Buonassi is physically threatened by Mr. Reese, he should call the police. Jim Brownlow **moved** to authorize Scott MacNair to write a letter to Mr. Reese including the information discussed in this paragraph, with a copy to be mailed to Mr. Buonassi. Rob Zisko **seconded**. Voting **Yes**: Jim Brownlow, Barbara Lindtner, Rob Zisko. (Karen Bedics was not present at the time this vote took place.)

**2. Police Expenditure for Dodge Durango** – Rob Zisko **moved** to authorize Chief Laudenslager to purchase a modified Laguana rear seat with a safety belt system to add more security for the police officers from D & A Emergency in Fountain Hill and to have it installed in the 2008 Dodge Durango at a cost not to exceed \$1,500. Karen Bedics **seconded**; the motion **passed** unanimously.

#### **Old Business (continued)**

**2. 2009 Budget Update** – Barbara Lindtner noted that engineering costs are down this year. She feels that expenses in general have been well managed, especially in the road department. After a review of the year-to-date budget, the Board requested the treasurer to provide a breakdown on the Act 537 (489.00) and why the 2009 section is higher than budgeted. Karen requested a printout of Police Minor Equipment (410.26) expenditures for 2009, which exceed the budgeted amount. Rich Schilling noted that the laptop computer was purchased for the Act 537 GIS information and he will begin working with the Bill Brokaw, the GIS consultant, to install the GIS information. Bob Wynn and his staff reviewed the information and feel it is excellent. There will be training sessions for township committees that wish to have various members trained on utilizing the GIS information.

**3. CDBG Grant for Handicap Accessibility** – Last year, the township submitted a grant application for \$33,569 with a township match portion (mostly labor and engineering costs) bringing the total up to \$40,000+. The grant was for replacing the meeting room door with a handicap accessible door and combining the two bathrooms in the police department into one handicap accessible, unisex bathroom. Rob Zisko **moved** to authorize Rich Schilling to obtain required signatures and forward paperwork relating to the grant already awarded, indicating the township will proceed with the work. Karen Bedics **seconded**; the motion **passed** unanimously. There was Board consensus that Rich should proceed with submission of the 2011 grant application to construct a handicap accessible cell in the police department and revise the upstairs bathroom to meet handicap regulations.

**4. Township Newsletter** – The Board authorized production of the 2009 newsletter which will include a copy of the Septic System Maintenance Brochure in the mailing. Karen submitted Kristy Aller's Septic System Brochure to the PSATS Communication Contest.

#### **New Business (continued)**

**3. Alternate Zoning Hearing Board Vacancy** – Robert Fumo submitted an application to serve as an alternate on the Zoning Hearing Board. Rich Schilling will arrange a time for the Board to meet and interview Mr. Fumo.

#### **Public Comments**

Steve Doncevic appreciates the quality of the oil and chip job done on Pleasant View Road.

#### **Supervisors Comments**

**Jim Brownlow** stated that the a review of the township manager and the police chief should take place in September. It was the consensus of the Board to hold both reviews on the same night. Rich Schilling will schedule a date. Jim felt that the interview with Mr. Fumo could take place before or after one of the September Board meetings.

The Planning Commission has requested to meet with the Board in a joint session to discuss several issues. The issues were:

1) issues raised in the October 16, 2008, memo relating to Comprehensive Plan recommendations: a) establishment of corridors and linkages (designation of greenways and hiking/biking trails) in the township; and  
2) the establishment of a program to actively and regularly monitor groundwater observation wells dedicated to the township in the subdivision process (memo of April 24, 2009), and  
3) how the impending wastewater management/maintenance program is to be implemented—who will do the inspections? How will they be funded? Will the pump-out frequency be fixed or flexible? etc.  
Rich will schedule this joint meeting take place at the October 15, 2009, Planning Commission work session.

Finally, Jim reminded the Board that if an assignment is to be made to one of the subcommittees, it needs to be a full Board recommendation. Karen Bedics **moved** that the Planning Commission review the point-by-point review of our outside lighting ordinance section done by the PA Outdoor Lighting Council. Barbara Lindtner **seconded**; the motion **passed** unanimously.

**Barbara Lindtner** reminded the Board that the Cooks Creek dedication of the highlands with Patrick Murphy will take place tomorrow at 2:00 p.m. Jim Brownlow, Rob Zisko, Barbara Lindtner and Rich Schilling plan to attend.

Barbara asked about the status of the Povinski property. Rich Schilling received an email from Chris Kearn and was advised that this property is back on the agenda for tomorrow night and will be considered for the county preservation. Additional information was needed for this property, which has now been provided with an item or two still to be delivered tomorrow. Rich Schilling expects to receive a signed contract from Heritage Conservancy later this week. They have agreed to begin working on the Open Space Plan in September.

**Rob Zisko** asked for an update on the status of the farmland lot rewrite. It was the consensus of the Board that Bob Wynn and Terry Clemons will provide their suggested rewrite of this portion of the ordinance incorporating the Board's concerns expressed at the August 25 meeting. Bobb Carson will forward the Planning Commission discussion comments to Terry Clemons and Bob Wynn for their consideration before they do the rewrite of the farmland lot portion of the ordinance.

**Karen Bedics** is currently phoning residents listed in the township's 1995 Emergency Management Plan as needing help evacuating in an emergency. Many numbers are disconnected and Karen feels a new list needs to be constructed. Rich Schilling obtained templates from Bucks County and will be working with Mike Guarino as time permits.

Karen reminded the Board that the Veteran's Garden Dedication will take place on Sunday, September 13 at 2:00 p.m.. A color guard is scheduled and the rest of the program is being finalized.

Karen plans to discuss fund raising for the PUC appeal when SbULU has their next meeting.

### **Adjournment**

At 10:15 p.m., Barbara Lindtner **moved** to adjourn the meeting. Karen Bedics **seconded**; the motion **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt  
Secretary/Treasurer

Next meeting: September 8, 2009  
Approved: September 8, 2009