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**SPRINGFIELD TOWNSHIP, BUCKS COUNTY
BOARD OF SUPERVISORS MEETING
MARCH 9, 2004**

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

Rod Wieder announced there was a brief Executive Session held prior to the meeting to discuss a personnel matter.

MINUTES OF FEBRUARY 10, 2004

Pete Lamana moved to approve the minutes of February 10, 2004 as presented. Seconded by Jim Brownlow. Vote was Lamana, Halderman, and Brownlow – YES.
Zisko and Wieder abstained.

BILLS FOR APPROVAL

The Treasurer presented a bills listing showing payments of \$91,218.21 from the General Fund. This number includes four payrolls. Rob Zisko moved to approve the Bills List as presented. Seconded by Pete Lamana. Vote was unanimous.

PUBLIC COMMENT AGENDA ITEMS

Chairman Wieder reminded the residents public comment will be conducted in accordance with Resolution 92-02.

Hans Reimann asked about the composition of the committee to work on the Wellhead protection grant. Hans suggested a representative from Lower Saucon Township be included. The committee has been suggested to include one Supervisor, one member of the Planning Commission, one member of the Historic Commission, Jeff Mease, and the members of the Environmental Advisory Council. The Supervisors are comfortable with this committee.

REPORTS

Code Enforcement and Road Department Reports are posted on the bulletin board.

Police Department Report – Chief McLaughlin reported a total of 175 incidents for the month of February 2004. There were 8 traffic accidents, 6 of which were reportable.

Solicitor's Report – Jim McNamara reported on the following:

DelGuericco Zoning – Mr. & Mrs. DelGuericco have appealed the decision of the Springfield Township Zoning Hearing Board which, while it dismissed the cease and desist order issued by the Township zoning officer, also granted a Variance recognizing their use of the property by imposing conditions on expansion and the type of use that could be made. Mr. & Mrs. John

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Hammil, as Intervenors, have also appealed and the case will now be assigned to a Bucks County Judge. To date, no further action has been taken on the Federal Civil Rights suit filed by Mr. DelGuerico.

Benckini v. Springfield Township and Brian McLaughlin – The Township insurer reports that this lawsuit filed by an inmate at the Lehigh County prison, who charged police officials in several municipalities with failure to investigate a hit and run accident in which he was involved, was dismissed by a United States District Court Judge.

Maureen Ilg v. Springfield Township Zoning Hearing Board – Ms. Ilg has appealed a decision of the Zoning Hearing Board denying a variance she requested concerning a kennel on her property at 900 Sonny Lane in the Township. Jim McNamara has entered his appearance for Springfield Township and will be defending the decision of the Board.

Springfield Township v. Halderman, et al. – The Solicitor has filed a petition with the Pennsylvania Supreme Court requesting that they hear an appeal from the decision of the Commonwealth Court of Pennsylvania which reversed the Bucks County Court Decision requiring Mr. & Mrs. Halderman to deed their two properties back into a single deed as one single parcel. The Haldermans have also filed a pleading with the Pennsylvania Supreme Court requesting the Supreme Court not to hear the appeal. No decision has been issued.

Keystone Road – The Solicitor reported he contacted Mr. Wiencek, the listed property owner to see whether he might consent to donate the Easement for the small triangle of land. Rob Zisko stated the owner of the property is Laura Freeh. Mr. Wiencek was her father and is deceased. Mr. McNamara will contact Mrs. Freeh to see if she will discuss acquisition of the land, preferably by donation.

OLD BUSINESS

Dunlap Minor Subdivision – Request to defer escrow Payment for Stormwater and Driveway improvements on Lot 1 and Lot 2.

Stephen Mahl – Request to defer escrow payment for Stormwater and Driveway improvements on Lot 2.

Jim McNamara discussed the matter with Township Engineer Bob Wynn. In the case of Lot #1 of the Dunlap Subdivision, the potential buyers do not plan to build for eight to ten years. Since the improvements are stormwater and driveway related, the Solicitor does not have a problem with deferring the Escrow provided a note is placed on the Subdivision Plan. He will confer with the Township Engineer as to proper language.

In the case of the potential buyers of Lot 2, they plan to build within a two year period. The Solicitor recommends the escrow be posted for this property.

Stephen Mahl is a hardship case. Mr. Mahl is unable to record his plan because he has no way to raise the escrow money required before recordation. The Solicitor stated these improvements are driveway and stormwater related. He believes Mr. Mahl could be allowed to defer escrow

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provided a note is placed on the subdivision plan requiring the new owner to establish the required escrow prior to building permits being issued by the Township. He will consult with the Township Engineer on the specific language for the note.

Rob Zisko moved to allow escrow funds to be deferred on Lot #1 of the Dunlap Subdivision and Lot #2 of the Stephen Mahl Subdivision conditioned upon notes being placed on the subdivision plans prior to recording. Seconded by Jim Brownlow. Vote was unanimous.

Resolution in support of Highlands Stewardship Act – Pete Lamana moved to table this item indefinitely since the Legislation has not passed.

Chuck Halderman feels if the Township does not support the effort, it will not be passed.

Hans Reimann reminded the Board that the Resolution was recommended by the EAC in January. This initiative would provide a 50% match to protect open space lands.

Pete Lamana amended his motion to table until the Township receives positive feed back from other Townships who have endorsed the initiative. Jim Brownlow seconded. Jim also commented if the motion is tabled indefinitely, the Board can address the matter at any time. Vote was unanimous.

NEW BUSINESS

2004 Wearing Course Material Bid – The Township received one bid from Coopersburg Asphalt, Division of Naceville Materials. The total bid price was for \$19,707.50. Rob Zisko moved to award the bid for Wearing Course Material to Coopersburg Asphalt. Seconded by Pete Lamana. Vote was unanimous.

McGinty A/B Soils Agreement to be Executed. This agreement will be signed after the meeting.

Request Information from Bucks County Water & Sewer on Springtown Water System –

Pete Lamana moved to explore options for the water system in the Village of Springtown. He further moved to request Bucks County Water & Sewer to submit a proposal which may lead to purchase estimating what it would cost the Township or Bucks County Water & Sewer to upgrade the Water System to the necessary standard. Seconded by Rod Wieder.

Discussion: Jim Brownlow stated the intent of the Board is to get a proposal which will give an idea of what it will cost to bring the water system up to standard.

Pete Lamana feels the Board has three options.

1. Re-establish the Authority with new personnel

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2. Bucks County Water & Sewer Authority has been maintaining the system for the past one plus years. Continue with them operating and maintaining the system for another year. Sell the system to them.
3. Sell the system.

Selling the system has gained some favor with members of the Board. Bucks County Water & Sewer has been operating the system and is well aware of the problems. Also, they service 250,000 customers. The cost of upgrading the system could be spread to a large customer base.

A proposal will reveal what the costs to the System users will be. Pete feels it is important that the users of the system know what is happening and are aware of the information the Board is reviewing. The Board is committed to make the best decision possible for the users and the Township.

Jim Brownlow does not have enough information to make a decision. According to Bucks County Water & Sewer Authority, the system is need of a great deal of updating. The water tower is one issue. Jim stated he is not an engineer and he is not clear that the tank would solve all the problems. Jim stated the Township could hire an independent engineer to do a consulting job at a cost of \$40,000+. Bucks County Water & Sewer's proposal will include this type of information because of their interest in purchasing the system. We will get information to go the next step to make a decision.

Jim continued, we need to hear from Bucks County Water & Sewer as to what they want to do, the springs may not supply the town. If the system is in need of a major upgrade and we started today it would not be in place until next year. Jim can support the motion.

Rod Wieder feels the Board has to look at all the options. We also need input from the users.

Chuck Halderman agreed. Bucks County Water & Sewer should look at the system. Chuck stated he has been in contact with several Townships and Boroughs who have addressed these problems. They feel the right way to go is to form a citizen's steering committee. Chuck agrees this is what should be done. Rod asked Chuck if he understood the motion. Chuck said he did.

Pete Lamana commented the requests for a proposal is only the beginning

Vote was unanimous.

Chuck Halderman left the meeting at this point.

Mis-Information – Pete Lamana read a prepared statement which related to a flyer that was circulated to the users of the Springtown Water System .

The circular implied the Supervisors had a secret meeting to sell the water system. Pete explained the meeting was an Executive Session of the Board. He provided excerpts of the "Sunshine Law", which covered Executive Sessions of the Board. Pete expressed his concern that the information circulated was only partially true.

Revise Ordinance 118 (Created the E.A.C.)

Pete Lamana provided the Supervisors with suggested changes to Ordinance #118.

Section 2 calls for an unlimited number of associate members. Pete suggests that associate member appointments be recommended by the EAC chairperson and that appointment approvals be voted upon by the BOS. The number of associate members be limited according to an assigned purpose. Appointment as an associate member would be considered ad hoc for the duration of its assignment subject to evaluation and reappointment on an annual basis by the BOS.

Pete suggested the following changes to the By Laws:

Section 3. Add Number 5. The governing body shall appoint one of its members liaison representing the Board of Supervisors as a non-voting participant.

Section 5. Change to read “The EAC is an advisory body; it does not make policy decisions for the municipality, rather, it advises the governing body, including the planning commission when necessary, on the environmental implications of the decisions it makes.”

Section 7. Change to read “Recommend plans and programs...for the promotion...(Leave out the word “Investigate” and the phrase “to the appropriate.”

Item (3) change to Make recommendations as to the possible use of open space areas, and farmland.

Item (6) Omit.

Rob Zisko moved to table the Ordinance Amendment. No second.

Jim Brownlow moved to authorize the Solicitor to advertise an Amendment to Ordinance 118, the Ordinance which created the Environmental Advisory Council to eliminate advisory members. In Section 3, allow for a member of the Board of Supervisors to serve as liaison in a non-voting capacity, Section 7, eliminate Investigate and in Ordinance 122 eliminate advisory members. Vote was Mr. Wieder, Mr. Lamana and Mr. Brownlow Yes. Mr. Zisko abstained. The Amendment will be advertised for the April 9th meeting.

Liaison from BOS to E.A.C. Jim Brownlow nominated Pete Lamana to serve as liaison between the E.A.C. and the Board. Seconded by Rob Zisko. Vote was unanimous

E.A.C. Steering Committee Wellhead Protection Grant – The Board agreed to Scott Douglas’ suggestion as to the make up of the committee: one supervisor, one planning commission

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member, one Historic Commission member Jeff Mease and a member of Lower Saucon Township E.A.C.

Resolution 2004-003 – Tax Collector Matters. Pete Lamana moved to approve Resolution 2004—003. Seconded by Rob Zisko. Vote was unanimous.

Resolution 2004-004 – Palisades Area Earned Income Tax Office Rules and Regulations. Rob Zisko moved to approve Resolution 2004-004 adopting the Rules and Regulations of the Palisades Earned Income Tax Office. Seconded by Pete Lamana. Vote was unanimous.

Resolution 2004-005 – Quakertown National Bank Custody of Pledge Securities. Rob Zisko moved to authorize Quakertown National Bank to Pool Springfield Township’s Pledged securities. Seconded by Jim Brownlow. Vote was unanimous

PUBLIC COMMENT

Carol Mease asked who sets the standards for public water systems. DEP

Dennis Steskel commented on the circular he handed out. No where on the page does it refer to secret meetings.

Bruce Strock commented on the former Township Authority and his efforts to straighten matters out when he served as Chairman.

Hans Reimann also commented on his efforts to get business done during his one and one half year term on the Authority. Hans also commented on removing Associate Members from the E.A.C.

Carol Mease asked if there would an opportunity for users of the Water System to vote.

SUPERVISORS’ COMMENTS

Jim Brownlow is committed to finding the best solution for everyone to the water system situation. He hopes everyone will work together.

Pete Lamana – No comment

Rob Zisko – No comment

ADJOURNMENT

Pete Lamana moved to adjourn the meeting at 9:00 p.m. Seconded by Rob Zisko. Vote was unanimous.

Respectfully Submitted

Barbara A. Smith
Secretary

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